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SERIES I No. 49

# OFFICIAL GAZETTE

## GOVERNMENT OF GOA



PUBLISHED BY AUTHORITY

**NOTE**

*There is one Extraordinary issue to the Official Gazette, Series I No. 48 dated 24-2-2011 namely, Extraordinary dated 1-3-2011 from pages 1867 to 1872 regarding the Corporation of City of Panaji (Election) (First Amendment) Rules, 2011 – Not. No. 1/04/DMA/Admn/4054 from Department of Urban Development (Directorate of Urban Development).*

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**GOVERNMENT OF GOA**

Department of Law &amp; Judiciary

Legal Affairs Division

**Notification**

10/2/2010-LA

The National Green Tribunal Act, 2010 (Central Act No. 19 of 2010), which has been passed by Parliament and assented to by the President of India on 2-6-2010 and published in the Gazette of India, Extraordinary, Part II, Section I dated

2-6-2010, is hereby published for the general information of the public.

*Julio Barbosa Noronha*, Under Secretary (Law).

Porvorim, 21st February, 2011.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

**Notification**

*New Delhi, the 2nd June, 2010/Jyaistha 12, 1932 (Saka)*

The following Act of Parliament received the assent of the President on the 2nd June, 2010, and is hereby published for general information:—

## THE NATIONAL GREEN TRIBUNAL ACT, 2010

(No. 19 of 2010) [2nd June, 2010]

AN

ACT

*to provide for the establishment of a National Green Tribunal for the effective and expeditious disposal of cases relating to environmental protection and conservation of forests and other natural resources including enforcement of any legal right relating to environment and giving relief and compensation for damages to persons and property and for matters connected therewith or incidental thereto.*

And whereas India is a party to the decisions taken at the United Nations Conference on the Human Environment held at Stockholm in June, 1972, in which India participated, calling upon the States to take appropriate steps for the protection and improvement of the human environment;

And whereas decisions were taken at the United Nations Conference on Environment and Development held at *Rio de Janeiro* in June, 1992, in which India participated, calling upon the States to provide effective access to judicial and administrative proceedings, including redress and remedy and to develop national laws regarding liability and compensation for the victims of pollution and other environmental damage;

And whereas in the judicial pronouncement in India, the right to healthy environment has been construed as a part of the right to life under Article 21 of the Constitution;

And whereas it is considered expedient to implement the decisions taken at the aforesaid conferences and to have a National Green Tribunal in view of the involvement of multi-disciplinary issues relating to the environment.

Be it enacted by Parliament in the Sixty-first Year of the Republic of India as follows:—

## CHAPTER I

### Preliminary

1. *Short title and commencement.*— (1) This Act may be called the National Green Tribunal Act, 2010.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Definitions.*— (1) In this Act, unless the context otherwise requires,—

(a) “accident” means an accident involving a fortuitous or sudden or unintended occurrence while handling any hazardous substance or equipment, or plant, or vehicle resulting in continuous or intermittent or repeated exposure to death, of, or, injury to, any person or damage to any property or environment but does not include an accident by reason only of war or civil disturbance;

(b) “Chairperson” means the Chairperson of the National Green Tribunal;

(c) “environment” includes water, air and land and the inter-relationship, which exists among and between water, air and land and human beings, other living creatures, plants, micro-organism and property;

(d) “Expert Member” means a member of the Tribunal who, is appointed as such, and holds qualifications specified in sub-section (2) of section 5, and, is not a Judicial Member;

(e) “handling”, in relation to any hazardous substance, means the manufacture, processing, treatment, package, storage, transportation, use, collection, destruction, conversion, offering for sale, transfer or the like of such hazardous substance;

(f) “hazardous substance” means any substance or preparation which is defined as hazardous substance in the Environment (Protection) Act, 1986, and exceeding such quantity as specified or may be specified by the Central Government under the Public Liability Insurance Act, 1991;

29 of 1986.

6 of 1991.

(g) “injury” includes permanent, partial or total disablement or sickness resulting out of an accident;

(h) “Judicial Member” means a member of the Tribunal who is qualified to be appointed as such under sub-section (1) of section 5 and includes the Chair-person;

(i) “notification” means a notification published in the Official Gazette;

(j) “person” includes—

(i) an individual,

(ii) a Hindu undivided family,

(iii) a company,

(iv) a firm,

(v) an association of persons or a body of individuals, whether incorporated or not,

(vi) trustee of a trust,

(vii) a local authority, and

(viii) every artificial juridical person, not falling within any of the preceding sub-clauses;

(k) “prescribed” means prescribed by rules made under this Act;

(l) “Schedule” means Schedules I, II and III appended to this Act;

(m) “substantial question relating to environment” shall include an instance where,—

(i) there is a direct violation of a specific statutory environmental obligation by a person by which,—

(A) the community at large other than an individual or group of individuals is affected or likely to be

affected by the environmental consequences; or

(B) the gravity of damage to the environment or property is substantial; or

(C) the damage to public health is broadly measurable;

(ii) the environmental consequences relate to a specific activity or a point source of pollution;

(n) “Tribunal” means the National Green Tribunal established under section 3;

(o) “workman” has the meaning assigned to it in the Workmen’s Compensation Act, 1923. 8 of 1923.

(2) The words and expressions used in this Act but not defined herein and defined in the Water (Prevention and Control of Pollution) Act, 1974, the Water (Prevention and Control of Pollution) Cess Act, 1977, the Forest (Conservation) Act, 1980, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, the Public Liability Insurance Act, 1991 and the Biological Diversity Act, 2002 and other Acts relating to environment shall have the meaning, respectively, assigned to them in those Acts. 6 of 1974. 36 of 1977. 69 of 1980. 14 of 1981. 29 of 1986. 6 of 1991. 18 of 2003.

## CHAPTER II

### Establishment of the Tribunal

3. *Establishment of Tribunal.*— The Central Government shall, by notification, establish, with effect from such date as may be specified therein, a Tribunal to be known as the National Green Tribunal to exercise the jurisdiction, powers and authority conferred on such Tribunal by or under this Act.

4. *Composition of Tribunal.*— (1) The Tribunal shall consist of—

(a) a full time Chairperson;

(b) not less than ten but subject to maximum of twenty full time Judicial Members as the Central Government may, from time to time, notify;

(c) not less than ten but subject to maximum of twenty full time Expert Members, as the Central Government may, from time to time, notify.

(2) The Chairperson of the Tribunal may, if considered necessary invite any one or more person having specialised knowledge and experience in a particular case before the Tribunal to assist the Tribunal in that case.

(3) The Central Government may, by notification, specify the ordinary place or places of sitting of the Tribunal, and the territorial jurisdiction falling under each such place of sitting.

(4) The Central Government may, in consultation with the Chairperson of the Tribunal, make rules regulating generally the practices and procedure of the Tribunal including—

(a) the rules as to the persons who shall be entitled to appear before the Tribunal;

(b) the rules as to the procedure for hearing applications and appeals and other matters [including the circuit procedure for hearing at a place other than the ordinary place of its sitting falling within the jurisdiction referred to in sub-section (3)], pertaining to the applications and appeals;

(c) the minimum number of Members who shall hear the applications and appeals in respect of any class or classes of applications and appeals:

Provided that the number of Expert Members shall, in hearing an application or appeal, be equal to the number of Judicial Members hearing such application or appeal;

(d) rules relating to transfer of cases by the Chairperson from one place of sitting (including the ordinary place of sitting) to other place of sitting.

5. *Qualifications for appointment of Chairperson, Judicial Member and Expert Member.*— (1) A person shall not be qualified for appointment as the Chairperson or Judicial Member of the Tribunal unless he is, or has been, a Judge of the Supreme Court of India or Chief Justice of a High Court:

Provided that a person who is or has been a Judge of the High Court shall also be qualified to be appointed as a Judicial Member.

(2) A person shall not be qualified for appointment as an Expert Member, unless he,—

(a) has a degree in Master of Science (in physical sciences or life sciences) with a Doctorate degree or Master of Engineering or Master of Technology and has an experience of fifteen years in the relevant field including five years practical experience in the field of environment and forests (including pollution control, hazardous substance management, environment impact assessment, climate change management, biological diversity management and forest conservation) in a reputed National level institution; or

(b) has administrative experience of fifteen years including experience of five years in dealing with environmental matters in the Central or a State Government or in a reputed National or State level institution.

(3) The Chairperson, Judicial Member and Expert Member of the Tribunal shall not hold any other office during their tenure as such.

(4) The Chairperson and other Judicial and Expert Members shall not, for a period of two years from the date on which they cease to hold office, accept any employment in, or connected with the management or administration of, any person who has been a party to a proceeding before the Tribunal under this Act:

Provided that nothing contained in this section shall apply to any employment under the Central Government or a State Government or local authority or in any statutory authority or any corporation established by or under any Central, State or Provincial Act or a Government company as defined in section 617 of the Companies Act, 1956.

1 of 1956.

6. *Appointment of Chairperson, Judicial Member and Expert Member.*— (1) Subject to the provisions of section 5, the Chairperson, Judicial Members and Expert Members of the Tribunal shall be appointed by the Central Government.

(2) The Chairperson shall be appointed by the Central Government in consultation with the Chief Justice of India.

(3) The Judicial Members and Expert Members of the Tribunal shall be appointed on the recommendations of such Selection Committee and in such manner as may be prescribed.

7. *Term of office and other conditions of service of Chairperson, Judicial Member and Expert Member.*— The Chairperson, Judicial Member and Expert Member of the Tribunal shall hold office as such for a term of five years from the date on which they enter upon their office, but shall not be eligible for re-appointment:

Provided that in case a person, who is or has been a Judge of the Supreme Court, has been appointed as Chairperson or Judicial Member of the Tribunal, he shall not hold office after he has attained the age of seventy years:

Provided further that in case of person, who is or has been the Chief Justice of a High Court, has been appointed as Chairperson or Judicial Member of the Tribunal, he shall not hold office after he has attained the age of sixty-seven years:

Provided also that in case a person, who is or has been a Judge of a High Court, has been appointed as Judicial Member of the Tribunal, he shall not hold office after he has attained the age of sixty-seven years:

Provided also that no Expert Member shall hold office after he has attained the age of sixty-five years.

8. *Resignation.*— The Chairperson, Judicial Member and Expert Member of the Tribunal may, by notice in writing under their hand addressed to the Central Government, resign their office.

9. *Salaries, allowances and other terms and conditions of service.*— The salaries and allowances payable to, and the other terms and conditions of service (including pension, gratuity and other retirement benefits) of, the Chairperson, Judicial Member and Expert Member of the Tribunal shall be such as may be prescribed:

Provided that neither the salary and allowances nor the other terms and conditions of service of the Chairperson, Judicial Member and Expert Member shall be varied to their disadvantage after their appointment.

10. *Removal and suspension of Chairperson, Judicial Member and Expert Member.*— (1) The Central Government may, in consultation with the Chief Justice of India, remove from office of the Chairperson or Judicial Member of the Tribunal, who,—

(a) has been adjudged an insolvent; or

(b) has been convicted of an offence which, in the opinion of the Central Government, involves moral turpitude; or

(c) has become physically or mentally incapable; or

(d) has acquired such financial or other interest as is likely to affect prejudicially his functions; or



(e) has so abused his position as to render his continuance in office prejudicial to the public interest.

(2) The Chairperson or Judicial Member shall not be removed from his office except by an order made by the Central Government after an inquiry made by a Judge of the Supreme Court in which such Chairperson or Judicial Member has been informed of the charges against him and given a reasonable opportunity of being heard in respect of those charges.

(3) The Central Government may suspend from office the Chairperson or Judicial Member in respect of whom a reference of conducting an inquiry has been made to the Judge of the Supreme Court under sub-section (2), until the Central Government passes an order on receipt of the report of inquiry made by the Judge of the Supreme Court on such reference.

(4) The Central Government may, by rules, regulate the procedure for inquiry referred to in sub-section (2).

(5) The Expert Member may be removed from his office by an order of the Central Government on the grounds specified in sub-section (1) and in accordance with the procedure as may be notified by the Central Government:

Provided that the Expert Member shall not be removed unless he has been given an opportunity of being heard in the matter.

11. *To act as Chairperson of Tribunal or to discharge his functions in certain circumstances.*— In the event of the occurrence of any vacancy in the office of the Chairperson of the Tribunal, by reason of his death, resignation or otherwise, such Judicial Member of the Tribunal as the Central Government may, by notification, authorise in this behalf, shall act as the Chairperson until the date on which a new Chairperson is

appointed in accordance with the provisions of this Act.

12. *Staff of Tribunal.*— (1) The Central Government shall determine the nature and categories of the officers and other employees required to assist the Tribunal in the discharge of its functions.

(2) The recruitment of the officers and other employees of the Tribunal shall be made by the Chairperson in such manner as may be prescribed.

(3) The officers and other employees of the Tribunal shall discharge their functions under the general superintendence of the Chairperson.

(4) The salaries and allowances and conditions of service of the officers and other employees of the Tribunal shall be such as may be prescribed.

13. *Financial and administrative powers of Chairperson.*— The Chairperson of the Tribunal shall exercise such financial and administrative powers as may be vested in him under the rules made by the Central Government:

Provided that the Chairperson may delegate such of his financial and administrative powers, as he may think fit, to any Judicial Member or Expert Member or officer of the Tribunal subject to the condition that the Member or such officer, while exercising such delegated power, continues to act under the direction, control and supervision of the Chairperson.

### CHAPTER III

#### Jurisdiction, Powers and Proceedings of the Tribunal

14. *Tribunal to settle disputes.*— (1) The Tribunal shall have the jurisdiction over all civil cases where a substantial question relating to environment (including enforcement of any

legal right relating to environment), is involved and such question arises out of the implementation of the enactments specified in Schedule I.

(2) The Tribunal shall hear the disputes arising from the questions referred to in sub-section (1) and settle such disputes and pass order thereon.

(3) No application for adjudication of dispute under this section shall be entertained by the Tribunal unless it is made within a period of six months from the date on which the cause of action for such dispute first arose:

Provided that the Tribunal may, if it is satisfied that the applicant was prevented by sufficient cause from filing the application within the said period, allow it to be filed within a further period not exceeding sixty days.

**15. Relief compensation and restitution.—**

(1) The Tribunal may, by an order, provide,—

(a) relief and compensation to the victims of pollution and other environmental damage arising under the enactments specified in the Schedule I (including accident occurring while handling any hazardous substance);

(b) for restitution of property damaged;

(c) for restitution of the environment for such area or areas,

as the Tribunal may think fit.

(2) The relief and compensation and restitution of property and environment referred to in clauses (a), (b) and (c) of sub-section (1) shall be in addition to the relief paid or payable under the Public Liability Insurance Act, 1991. 6 of 1991.

(3) No application for grant of any compensation or relief or restitution of property or environment under this section

shall be entertained by the Tribunal unless it is made within a period of five years from the date on which the cause for such compensation or relief first arose:

Provided that the Tribunal may, if it is satisfied that the applicant was prevented by sufficient cause from filing application within the said period, allow it to be filed within a further period not exceeding sixty days.

(4) The Tribunal may, having regard to the damage to public health, property and environment, divide the compensation or relief payable under separate heads specified in Schedule II so as to provide compensation or relief to the claimants and for restitution of the damaged property or environment, as it may think fit.

(5) Every claimant of the compensation or relief under this Act shall intimate to the Tribunal about the application filed to, or, as the case may be, compensation or relief received from, any other court or authority.

**16. Tribunal to have appellate jurisdiction.—**  
Any person aggrieved by,—

(a) an order or decision, made on or after the commencement of the National Green Tribunal Act, 2010, by the appellate authority under section 28 of the Water (Prevention and Control of Pollution) Act, 1974; 6 of 1974.

(b) an order passed, on or after the commencement of the National Green Tribunal Act, 2010, by the State Government under section 29 of the Water (Prevention and Control of Pollution) Act, 1974; 6 of 1974.

(c) directions issued, on or after the commencement of the National Green Tribunal Act, 2010, by a Board, under section 33 A of the Water (Prevention and Control of Pollution) Act, 1974; 6 of 1974.

(d) an order or decision made, on or after the commencement of the National Green Tribunal Act, 2010, by the appellate authority under section 13 of the Water (Prevention and Control of Pollution) Cess Act, 1977;

36 of 1977.

(e) an order or decision made, on or after the commencement of the National Green Tribunal Act, 2010, by the State Government or other authority under section 2 of the Forest (Conservation) Act, 1980;

69 of 1980.

(f) an order or decision, made, on or after the commencement of the National Green Tribunal Act, 2010, by the Appellate Authority under section 31 of the Air (Prevention and Control of Pollution) Act, 1981;

14 of 1981.

(g) any direction issued, on or after the commencement of the National Green Tribunal Act, 2010, under section 5 of the Environment (Protection) Act, 1986;

29 of 1986.

(h) an order made, on or after the commencement of the National Green Tribunal Act, 2010, granting environmental clearance in the area in which any industries, operations or processes or class of industries, operations and processes shall not be carried out or shall be carried out subject to certain safeguards under the Environment (Protection) Act, 1986;

29 of 1986.

(i) an order made, on or after the commencement of the National Green Tribunal Act, 2010, refusing to grant environmental clearance for carrying out any activity or operation or process under the

Environment (Protection) Act, 1986;

29 of 1986.

(j) any determination of benefit sharing or order made, on or after the commencement of the National Green Tribunal Act, 2010, by the National Biodiversity Authority or a State Biodiversity Board under the provisions of the Biological Diversity Act, 2002,

18 of 2003.

may, within a period of thirty days from the date on which the order or decision or direction or determination is communicated to him, prefer an appeal to the Tribunal:

Provided that the Tribunal may, if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal within the said period, allow it to be filed under this section within a further period not exceeding sixty days.

*17. Liability to pay relief or compensation in certain cases.—* (1) Where death of, or injury to, any person (other than a workman) or damage to any property or environment has resulted from an accident or the adverse impact of an activity or operation or process, under any enactment specified in Schedule I, the person responsible shall be liable to pay such relief or compensation for such death, injury or damage, under all or any of the heads specified in Schedule II, as may be determined by the Tribunal.

(2) If the death, injury or damage caused by an accident or the adverse impact of an activity or operation or process under any enactment specified in Schedule I cannot be attributed to any single activity or operation or process but is the combined or resultant effect of several such activities, operations and processes, the Tribunal may, apportion the liability for relief or compensation amongst those responsible for such activities, operations and processes on an equitable basis.



(3) The Tribunal shall, in case of an accident, apply the principle of no fault.

18. *Application or appeal to Tribunal.*— (1) Each application under sections 14 and 15 or an appeal under section 16 shall, be made to the Tribunal in such form, contain such particulars, and, be accompanied by such documents and such fees as may be prescribed.

(2) Without prejudice to the provisions contained in section 16, an application for grant of relief or compensation or settlement of dispute may be made to the Tribunal by—

(a) the person, who has sustained the injury; or

(b) the owner of the property to which the damage has been caused; or

(c) where death has resulted from the environmental damage, by all or any of the legal representatives of the deceased; or

(d) any agent duly authorised by such person or owner of such property or all or any of the legal representatives of the deceased, as the case may be; or

(e) any person aggrieved, including any representative body or organisation; or

(f) the Central Government or a State Government or a Union territory Administration or the Central Pollution Control Board or a State Pollution Control Board or a Pollution Control Committee or a local authority, or any environmental authority constituted or established under the Environment (Protection) Act, 1986 or any other law for the time being in force. 29 of 1986.

Provided that where all the legal representatives of the deceased have not joined in any such application for compensation or relief or settlement of dispute, the application shall be made on

behalf of, or, for the benefit of all the legal representatives of the deceased and the legal representatives who have not so joined shall be impleaded as respondents to the application:

Provided further that the person, the owner, the legal representative, agent, representative body or organisation shall not be entitled to make an application for grant of relief or compensation or settlement of dispute if such person, the owner, the legal representative, agent, representative body or organisation have preferred an appeal under section 16.

(3) The application, or as the case may be, the appeal filed before the Tribunal under this Act shall be dealt with by it as expeditiously as possible and endeavour shall be made by it to dispose of the application, or, as the case may be, the appeal, finally within six months from the date of filing of the application, or as the case may be, the appeal, after providing the parties concerned an opportunity to be heard.

19. *Procedure and powers of Tribunal.*— (1) The Tribunal shall not be bound by the procedure laid down by the Code of Civil Procedure, 1908 but shall be guided by the principles of natural justice. 5 of 1908.

(2) Subject to the provisions of this Act, the Tribunal shall have power to regulate its own procedure.

(3) The Tribunal shall also not be bound by the rules of evidence contained in the Indian Evidence Act, 1872. 1 of 1872.

(4) The Tribunal shall have, for the purposes of discharging its functions under this Act, the same powers as are vested in a civil court under the Code of Civil Procedure, 1908, while trying a suit, in respect of the following matters, namely:— 5 of 1908.

(a) summoning and enforcing the attendance of any person and examining him on oath;

(b) requiring the discovery and production of documents;

(c) receiving evidence on affidavits;

(d) subject to the provisions of sections 123 and 124 of the Indian Evidence Act, 1872, requisitioning any public record or document or copy of such record or document from any office; 1 of 1872.

(e) issuing commissions for the examination of witnesses or documents;

(f) reviewing its decision;

(g) dismissing an application for default or deciding it *ex parte*;

(h) setting aside any order of dismissal of any application for default or any order passed by it *ex parte*;

(i) pass an interim order (including granting an injunction or stay) after providing the parties concerned an opportunity to be heard, on any application made or appeal filed under this Act;

(j) pass an order requiring any person to cease and desist from committing or causing any violation of any enactment specified in Schedule I;

(k) any other matter which may be prescribed.

(5) All proceedings before the Tribunal shall be deemed to be the judicial proceedings within the meaning of sections 193, 219 and 228 for the purposes of section 196 of the Indian Penal Code and the Tribunal shall be deemed to be a civil court for the purposes of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973. 45 of 1860. 2 of 1974.

20. *Tribunal to apply certain principles.*— The Tribunal shall, while passing any order or decision or award, apply the principles of sustainable development, the precautionary principle and the polluter pays principle.

21. *Decision to be taken by majority.*— The decision of the Tribunal by majority of Members shall be binding:

Provided that if there is a difference of opinion among the Members hearing an application or appeal, and the opinion is equally divided, the Chairperson shall hear (if he has not heard earlier such application or appeal) such application or appeal and decide:

Provided further that where the Chairperson himself has heard such application or appeal alongwith other Members of the Tribunal, and if there is a difference of opinion among the Members in such cases and the opinion is equally divided, he shall refer the matter to other Members of the Tribunal who shall hear such application or appeal and decide.

22. *Appeal to Supreme Court.*—

Any person aggrieved by any award, decision or order of the Tribunal, may, file an appeal to the Supreme Court, within ninety days from the date of communication of the award, decision or order of the Tribunal, to him, on any one or more of the grounds specified in section 100 of the Code of Civil Procedure, 1908:

5 of 1908.

Provided that the Supreme Court may entertain any appeal after the expiry of ninety days, if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal.

23. *Cost.*— (1) While disposing of an application or an appeal under this Act, the Tribunal shall have power to make such order as to costs, as it may consider necessary.

(2) Where the Tribunal holds that a claim is not maintainable, or is false or vexatious, and

such claim is disallowed, in whole or in part, the Tribunal may, if it so thinks fit, after recording its reasons for holding such claim to be false or vexatious, make an order to award costs, including lost benefits due to any interim injunction.

*24. Deposit of amount payable for damage to environment.—* (1) Where any amount by way of compensation or relief is ordered to be paid under any award or order made by the Tribunal on the ground of any damage to environment, that amount shall be remitted to the authority specified under sub-section (3) of section 7A of the Public Liability Insurance Act, 1991 for being credited to the Environmental Relief Fund established under that section. 6 of 1991.

(2) The amount of compensation or relief credited to the Environmental Relief Fund under sub-section (1), may, notwithstanding anything contained in the Public Liability Insurance Act, 1991, be utilised by such persons or authority, in such manner and for such purposes relating to environment, as may be prescribed. 6 of 1991.

*25. Execution of award or order or decision of Tribunal.—* (1) An award or order or decision of the Tribunal under this Act shall be executable by the Tribunal as a decree of a civil court, and for this purpose, the Tribunal shall have all the powers of a civil court.

(2) Notwithstanding anything contained in sub-section (1), the Tribunal may transmit any order or award made by it to a civil court having local jurisdiction and such civil court shall execute the order or award as if it were a decree made by that court.

(3) Where the person responsible, for death of, or injury to any person or damage to any property and environment, against whom the

award or order is made by the Tribunal, fails to make the payment or deposit the amount as directed by the Tribunal within the period so specified in the award or order, such amount, without prejudice to the filing of complaint for prosecution for an offence under this Act or any other law for the time being in force, shall be recoverable from the aforesaid person as arrears of land revenue or of public demand.

## CHAPTER IV

### Penalty

*26. Penalty for failure to comply with orders of Tribunal.—* (1) Whoever, fails to comply with any order or award or decision of the Tribunal under this Act, he shall be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to ten crore rupees, or with both and in case the failure or contravention continues, with additional fine which may extend to twenty-five thousand rupees for every day during which such failure or contravention continues after conviction for the first such failure or contravention:

Provided that in case a company fails to comply with any order or award or a decision of the Tribunal under this Act, such company shall be punishable with fine which may extend to twenty-five crore rupees, and in case the failure or contravention continues, with additional fine which may extend to one lakh rupees for every day during which such failure or contravention continues after conviction for the first such failure or contravention.

(2) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, every offence under this Act shall be deemed to be non-cognizable within the meaning of the said Code. 2 of 1974.

*27. Offences by companies.—* (1) Where any offence under this Act has been committed by a company, every person who, at the time the offence was committed, was directly in charge

of, and was responsible to the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by the company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

*Explanation.*— For the purposes of this section,—

(a) “company” means any body corporate and includes a firm or other association of individuals; and

(b) “director” in relation to a firm means a partner in the firm.

#### 28. *Offences by Government Department.*—

(1) Where any Department of the Government fails to comply with any order or award or decision of the Tribunal under this Act, the Head of the Department shall be deemed to be guilty of such failure and shall be liable to be proceeded against for having committed an offence under this Act and punished accordingly:

Provided that nothing contained in this section shall render such Head of the Department liable to any punishment if he proves that the offence was committed without

his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a Department of the Government and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of any officer, other than the Head of the Department, such officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

## CHAPTER V

### Miscellaneous

29. *Bar of jurisdiction.*— (1) With effect from the date of establishment of the Tribunal under this Act, no civil court shall have jurisdiction to entertain any appeal in respect of any matter, which the Tribunal is empowered to determine under its appellate jurisdiction.

(2) No civil court shall have jurisdiction to settle dispute or entertain any question relating to any claim for granting any relief or compensation or restitution of property damaged or environment damaged which may be adjudicated upon by the Tribunal, and no injunction in respect of any action taken or to be taken by or before the Tribunal in respect of the settlement of such dispute or any such claim for granting any relief or compensation or restitution of property damaged or environment damaged shall be granted by the civil court.

30. *Cognizance of offences.*— (1) No court shall take cognizance of any offence under this Act except on a complaint made by—

(a) the Central Government or any authority or officer authorised in this behalf by that Government; or

(b) any person who has given notice of not less than sixty days in such manner as

may be prescribed, of the alleged offence and of his intention to make a complaint, to the Central Government or the authority or officer authorised as aforesaid.

(2) No court inferior to that of a Metropolitan Magistrate or, a Judicial Magistrate of the first class shall try any offence punishable under this Act.

31. *Members and staff of Tribunal to be public servants.*— The Chairperson, the Judicial and Expert Members, officers and other employees of the Tribunal shall be deemed to be public servants within the meaning of section 21 of the 45 of 1860. Indian Penal Code.

32. *Protection of action taken in good faith.*— (1) No suit or other legal proceeding shall lie against the employees of the Central Government or a State Government or any statutory authority, for anything which is in good faith done or intended to be done in pursuance of this Act or any rule or order made thereunder.

(2) No suit, prosecution or other legal proceeding shall lie against the Chairperson or, Judicial Member or Expert Member of the Tribunal or any other person authorised by the Chairperson or Judicial Member or the Expert Member for anything which is in good faith done or intended to be done in pursuance of this Act or any rule or order made thereunder.

33. *Act to have overriding effect.*— The provisions of this Act, shall have effect notwithstanding anything inconsistent contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act.

34. *Power to amend Schedule I.*— (1) The Central Government may, by notification, amend the Schedule I by including therein any other Act, enacted by Parliament having regard to the objective of environmental protection and conservation of natural

resources, or omitting therefrom any Act already specified therein and on the date of publication of such notification, such Act shall be deemed to be included in or, as the case may be, omitted from the Schedule I.

(2) A copy of every notification proposed to be issued under sub-section (1), shall be laid in draft before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in disapproving the issue of the notification or both Houses agree in making any modification in the notification, the notification shall not be issued or, as the case may be, shall be issued only in such modified form as may be agreed upon by both the Houses.

35. *Power to make rules.*— (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) rules as to the persons who shall be entitled to appear before the Tribunal under clause (a) of sub-section (4) of section 4;

(b) the procedure for hearing applications and appeals and other matters pertaining to the applications and appeals under clause (b) of sub-section (4) of section 4;

(c) the minimum number of members who shall hear the applications and appeals in respect of any class or classes of applications and appeals under clause (c) of sub-section (4) of section 4;

(d) the transfer of cases by the Chairperson from one place of sitting (including the ordinary place of sitting) to other place of sitting;



(e) the selection committee and the manner of appointment of the Judicial Member and Expert Member of the Tribunal under sub-section (3) of section 6;

(f) the salaries and allowances payable to, and other terms and conditions of service (including pension, gratuity and other retirement benefits) of, the Chairperson, Judicial Member and Expert Member of the Tribunal under section 9;

(g) the procedure for inquiry of the charges against the Chairperson or Judicial Member of the Tribunal under sub-section (4) of section 10;

(h) the recruitment of officers and other employees of the Tribunal under sub-section (2) of section 12; and the salaries and allowances and other conditions of service of the officers and other employees of the Tribunal under sub-section (4) of that section;

(i) the financial and administrative powers to be exercised by the Chairperson of the Tribunal under section 13;

(j) the form of application or appeal, the particulars which it shall contain and the documents to be accompanied by and the fees payable under sub-section (1) of section 18;

(k) any such matter in respect of which the Tribunal shall have powers of a civil court under clause (k) of sub-section (4) of section 19;

(l) the manner and the purposes for which the amount of compensation or relief credited to the Environment Relief Fund shall be utilised under sub-section (2) of section 24;

(m) the manner of giving notice to make a complaint under clause (b) of sub-section (1) of section 30;

(n) any other matter which is required to be, or may be, specified by rules or in

respect of which provision is to be made by rules.

(3) Every rule made under this Act by the Central Government shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

36. The enactments specified in the Schedule III to this Act shall be amended in the manner specified therein and such amendments shall take effect on the date of establishment of the Tribunal.

37. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government, may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act as may appear to it to be necessary for removing the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

38. (1) The National Environment Tribunal Act, 1995 and the National Environment Appellate Authority Act, 1997 are hereby repealed (hereinafter referred to as the repealed Act).

(2) Notwithstanding such repeal, anything done or any action taken under the said Acts

shall be deemed to have been done or taken under the corresponding provisions of this Act.

(3) The National Environment Appellate Authority established under sub-section (1) of section 3 of the National Environment Appellate Authority Act, 1997, shall, on the establishment of the National Green Tribunal under the National Green Tribunal Act, 2010, stand dissolved.

(4) On the dissolution of the National Environment Appellate Authority established under sub-section (1) of section 3 of the National Environment Appellate Authority Act, 1997, the persons appointed as the Chairperson, Vice-Chairperson and every other person appointed as Member of the said National Environment Appellate Authority and holding office as such immediately before the establishment of the National Green Tribunal under the National Green Tribunal Act, 2010, shall vacate their respective offices and no such Chairperson, Vice-Chairperson and every other person appointed as Member shall be entitled to claim any compensation for the premature termination of the term of his office or of any contract of service.

(5) All cases pending before the National Environment Appellate Authority established under sub-section (1) of section 3 of the National Environment Appellate Authority Act, 1997 on or before the establishment of the National Green Tribunal under the National Green Tribunal Act, 2010, shall, on such establishment, stand transferred to the said National Green Tribunal and the National Green Tribunal shall dispose of such cases as if they were cases filed under that Act.

(6) The officers or other employees who have been, immediately before the dissolution of the National Environment Appellate Authority appointed on deputation basis to the National Environment Appellate Authority, shall, on such dissolution, stand reverted to their parent cadre, Ministry or Department, as the case may be.

(7) On the dissolution of the National Environment Appellate Authority, the officers

and other employees appointed on contract basis under the National Environment Appellate Authority and holding office as such immediately before such dissolution, shall vacate their respective offices and such officers and other employees shall be entitled to claim compensation for three months' pay and allowances or pay and allowances for the remaining period of service, whichever is less, for the premature termination of term of the office under their contract of service.

(8) The mention of the particular matters referred to in sub-sections (2) to (7) shall not be held to prejudice or affect the general application of section 6 of the General Clauses Act, 1897 with regard to the effect of repeal.

#### SCHEDULE I

[See sections 14(1), 15(1), 17(1)(a), 17(2), 19(4)(j) and 34(1)]

1. The Water (Prevention and Control of Pollution) Act, 1974;
2. The Water (Prevention and Control of Pollution) Cess Act, 1977;
3. The Forest (Conservation) Act, 1980;
4. The Air (Prevention and Control of Pollution) Act, 1981;
5. The Environment (Protection) Act, 1986;
6. The Public Liability Insurance Act, 1991;
7. The Biological Diversity Act, 2002.

#### SCHEDULE II

[See sections 15(4) and 17(1)]

Heads under which compensation or relief for damage may be claimed

- (a) Death;
- (b) Permanent, temporary, total or partial disability or other injury or sickness;
- (c) Loss of wages due to total or partial disability or permanent or temporary disability;
- (d) Medical expenses incurred for treatment of injuries or sickness;
- (e) Damages to private property;

(f) Expenses incurred by the Government or any local authority in providing relief, aid and rehabilitation to the affected persons;

(g) Expenses incurred by the Government for any administrative or legal action or to cope with any harm or damage, including compensation for environmental degradation and restoration of the quality of environment;

(h) Loss to the Government or local authority arising out of, or connected with, the activity causing any damage;

(i) Claims on account of any harm, damage or destruction to the fauna including milch and draught animals and aquatic fauna;

(j) Claims on account of any harm, damage or destruction to flora including aquatic flora, crops, vegetables, trees and orchards;

(k) Claims including cost of restoration on account of any harm or damage to environment including pollution of soil, air, water, land and eco-systems;

(l) Loss and destruction of any property other than private property;

(m) Loss of business or employment or both;

(n) Any other claim arising out of, or connected with, any activity of handling of hazardous substance.

### SCHEDULE III

(See section 36)

#### Amendment to Certain Enactments

##### PART I

#### Amendment to the Water (Prevention and Control of Pollution) Act, 1974

(6 of 1974)

After section 33A, the following section shall be inserted, namely:—

“33B. Any person aggrieved by,—

(a) an order or decision of the appellate authority under section 28, made on or after the commencement of the National Green Tribunal Act, 2010; or

(b) an order passed by the State Government under section 29, on or after the commencement of the National Green Tribunal Act, 2010; or

(c) directions issued under section 33A by a Board, on or after the commencement of the National Green Tribunal Act, 2010,

may file an appeal to the National Green Tribunal established under section 3 of the National Green Tribunal Act, 2010, in accordance with the provisions of that Act.”.

##### PART II

#### Amendments to the Water (Prevention and Control of Pollution) Cess Act, 1977

(36 of 1977)

1. In section 13, in sub-section (4), for the words “shall be final”, the words, figures and letters “shall, if no appeal has been filed under section 13A, be final” shall be substituted.

2. After section 13, the following section shall be inserted, namely:—

“13A. Any person aggrieved, by an order or decision of the appellate authority made under section 13, on or after the commencement of the National Green Tribunal Act, 2010, may file an appeal to the National Green Tribunal established under section 3 of the National Green Tribunal Act, 2010, in accordance with the provisions of that Act.”.

##### PART III

#### Amendment to the Forest (Conservation) Act, 1980

(69 of 1980)

After section 2, the following section shall be inserted, namely:—

“2A. Any person aggrieved, by an order or decision of the State Government or other authority made under section 2, on or after the commencement of the National Green Tribunal Act, 2010, may file an appeal to the National Green Tribunal established under section 3 of the National Green Tribunal Act, 2010, in accordance with the provisions of that Act.”.

##### PART IV

#### Amendment to the Air (Prevention and Control of Pollution) Act, 1981

(14 of 1981)

After section 31A, the following section shall be inserted, namely:—

"31B. Any person aggrieved by an order or decision of the Appellate Authority under section 31, made on or after the commencement of the National Green Tribunal Act, 2010, may file an appeal to the National Green Tribunal established under section 3 of the National Green Tribunal Act, 2010, in accordance with the provisions of that Act."

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PART V

Amendment to the Environment (Protection)  
Act, 1986

(29 of 1986)

After section 5, the following section shall be inserted, namely:—

"5A. Any person aggrieved by any directions issued under section 5, on or after the commencement of the National Green Tribunal Act, 2010, may file an appeal to the National Green Tribunal established under section 3 of the National Green Tribunal Act, 2010, in accordance with the provisions of that Act."

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PART VI

Amendments to the Biological Diversity Act, 2002

(18 of 2003)

1. In section 52, after the proviso, the following provisos shall be inserted, namely:—

"Provided further that nothing contained in this section shall apply on and from the commencement of the National Green Tribunal Act, 2010:

Provided also that any appeal pending before the High Court, before the commencement of the National Green Tribunal Act, 2010, shall continue to be heard and disposed of by the High Court as if the National Green Tribunal had not been established under section 3 of the National Green Tribunal Act, 2010."

2. After section 52, the following section shall be inserted, namely:—

"52A. Any person aggrieved by any determination of benefit sharing or order of the National Biodiversity Authority or a State Biodiversity Board under this Act, on or after the commencement of the National Green Tribunal Act, 2010, may file an appeal to the National Green Tribunal established under section 3 of the

National Green Tribunal Act, 2010, in accordance with the provisions of that Act."

V. K. BHASIN,  
Secy. to the Govt. of India.

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**Notification**

10/2/2010-LA

The following Notification Nos. S. O. 2569(E) dated 18-10-2010 and S. O. 2570(E) dated 18-10-2010 of the Ministry of Environment and Forests, Government of India, New Delhi, are hereby published for the general information of the public.

*Julio Barbosa Noronha*, Under Secretary (Law).

Porvorim, 21st February, 2011.

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MINISTRY OF ENVIRONMENT AND  
FORESTS

**Notification**

*New Delhi, the 18th October, 2010*

*S.O. 2569(E).*— In exercise of the powers conferred by sub-section (2) of Section 1 of the National Green Tribunal Act, 2010 (19 of 2010), the Central Government hereby appoints the 18th day of October, 2010, as the date on which all the provisions of the said Act shall come into force.

[F. No. 17/2/2010-PL]  
RAJNEESH Dube, Jt. Secy.

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**Notification**

*New Delhi, the 18th October, 2010*

*S. O. 2570(E).*— In exercise of the powers conferred by Section 3 of the National Green Tribunal Act, 2010 (19 of 2010), the Central Government hereby establishes "The National Green Tribunal" to exercise the jurisdiction, powers and authority conferred on it by or under the said Act.

[F. No. 17/2/2010-PL]  
RAJNEESH DUBE, Jt. Secy.

**Department of Mines**  
**Directorate of Mines & Geology**

**Order**

1/3/2009-10/Adm/Mines/3647

Sanction of the Government is hereby conveyed for continuation of following Group 'B' (Gazetted) posts, in the Directorate of Mines & Geology, Panaji-Goa for further period of one year from 1-3-2010 to 29-2-2012.

Sr. No.	Designation of posts	Grade	No. of posts	Budget Head
1	2	3	4	5
1.	Assistant Geologist 9300-34800+4200	B	2	2853–Non Ferrous Mining & Metallurgical Industries 02–Regulation and Development of Mines 001–Direction and Administration 02–Strengthening of Mine Department (Plan) 01–Salaries
2.	Surveying Officer 9300-34800+4200	B	1	
3.	Assistant Accounts Officer 9300-34800+4600	B	1	

The expenditure towards salaries shall be borne from the Budget Head shown against column No. 5.

By order and in the name of the Governor of Goa.

*Arvind D. Loliyekar*, Director & ex officio Joint Secretary (Mines & Geology).

Panaji, 23rd February, 2011.



**Department of Personnel**

**Notification**

15/7/2003-PER

Read: Notification No. 15/50/87-PER-Part I dated 12-12-1997, published in the Official Gazette, Series I No. 44 dated 29-1-1998.

The Government of Goa hereby makes the following rules so as to amend the Goa Departmental Examination for the Officers in the Cadre of Mamlatdars/Joint Mamlatdars/Assistant Director of Civil Supplies Rules, 1997, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Goa Departmental Examination for the Officers in the Cadre of Mamlatdars/Joint Mamlatdars/Assistant Director of Civil Supplies (First Amendment) Rules, 2011.

(2) They shall come into force at once.

2. *Amendment of Annexure.*— For Annexure appended to the Goa Departmental Examination for the Officers in the Cadre of Mamlatdars/Joint Mamlatdars/Assistant Director of Civil Supplies Rules, 1997, the following Annexure shall be substituted, namely:—

**“ANNEXURE**

Syllabus for examination shall be as under:

**Paper-I 100 marks**

Judicial questions on the Indian Penal Code, 1860 (Act 45 of 1860), the Indian Evidence Act, 1872 (Act 1 of 1872) and the Code of Criminal Procedure, 1973 (Central Act 2 of 1974). (Chapters 1 to XV, XVIII to XXI, XXVI, XXX, XXXIII, XXXV to XXXVII of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) (with books).

**Paper-II 100 marks**

Questions on the Goa Land Revenue Code, 1968 (Act 9 of 1969), and the rules made thereunder, the Goa, Daman and Diu (Protection from Eviction of Mundkars Agricultural Labourers and Village



Artisans) Act, 1971 (Act 12 of 1971), the Goa, Daman and Diu Mundkars (Protection from Eviction) Act, 1976 (Act No. 1 of 1976) and the Rules made thereunder, the Goa, Daman and Diu Agricultural Tenancy Act, 1964 (Act No. 7 of 1964) and the rules made thereunder, the Goa, Daman and Diu Mamlatdar's Court Act, 1966 (Act No. 9 of 1966), and the rules made thereunder, the Land Acquisition Act, 1894 (Central Act 1 of 1894) and the rules made thereunder (with books).

#### **Paper-III 100 marks**

Questions on the Goa Municipalities Act, 1968 (Act No. 7 of 1969), the Goa Panchayati Raj Act, 1994 (Act 14 of 1994), Regulamento de Mazanias das Devalais do Estado da India, the Essential Commodities Act, 1955 (Central Act 10 of 1955), the Disaster Management Act, 2005 (Central Act No. 53 of 2005), the Right to Information Act, 2005 (Central Act 22 of 2005) and the rules made thereunder (with books).

#### **Paper-IV 100 marks**

Questions on the Constitution of India, the Manual of Elections Law, 1967, the Representation of the People Act, 1950 (Central Act 43 of 1950), the Representation of the People Act, 1951 (Central Act 43 of 1951). Registration of Electors Rules, 1960, Conduct of Elections Rules, 1961 and Hand Book for Returning Officers (with books).

#### **Paper-V 100 marks**

Questions on:—

(a) General Financial Rules, 2005 and the Goa Delegation of Financial Power Rules, 2008 (with books).

(b) Compilation of Central Treasury Rules, Volume I (with books).

(c) Fundamental Rules and Supplementary Rules (Part I and II), Civil Service Regulations, Central Civil Services (Conduct) Rules, 1964, Central Civil Services (Classification, Control and Appeal) Rules, 1965, Central Civil Services (Leave) Rules, 1972, Central Civil Services (Pension) Rules, 1972, Establishment and Administration (with books).

#### **Paper-VI 100 marks**

Questions on:—

- (a) General Knowledge;
- (b) Elementary English;

- (c) Simple Arithmetic/Reasoning; and
- (d) General Ability.

By order and in the name of the Governor of Goa.

*N. P. Singnapurker*, Under Secretary (Personnel-II).

Porvorim, 17th February, 2011.



### Department of Public Health

#### Order

47/15/2007-I/PHD/Part I

Sanction of the Government is hereby accorded for revival of 13 (thirteen) posts of Investigators (Group 'C', Non-Gazetted) in the PB-1 Rs. 5200-20200 with Grade Pay Rs. 2400/-, under the Directorate of Health Services, Panaji-Goa.

The expenditure shall be debited to the Budget Head "2210—Medical and Public Health; 01—Urban Health Services, Allopathy; 104—Medical Store Depot; 01—Medical Depot (Non-Plan); 01—Salaries" and "2210—Medical and Public Health; 03—Rural Health Services; 103—PHCs Allopathy; 02—PHC(Plan); 01—Salaries".

This issues with the recommendation of the Administrative Reforms Department vide their U. O. No. 692/F dated 12-2-2011 and concurrence of Finance (Rev. & Cont.) Department vide their U. O. No. 1430819 dated 16-2-2011.

By order and in the name of the Governor of Goa.

*D. G. Sardesai*, Joint Secretary (Health).

Porvorim, 17th February, 2010.

Department of Science, Technology &  
Environment

Directorate of Science, Technology & Environment

**Notification**

1/24/2010/STE-DIR

The following Notification published in the Gazette of India is hereby published for the general information of public:—

- (1) S. O. 19(E) dated 6th January, 2011.
- (2) S. O. 249(E) dated 4th February, 2011.

By order and in the name of the Governor  
of Goa.

*Michael M. D'Souza*, Director & ex officio  
Joint Secretary (STE).

Saligao, 18th February, 2011.

MINISTRY OF ENVIRONMENT AND  
FORESTS

(Department of Environment, Forests and  
Wildlife)

COASTAL REGULATION ZONE

**Notification**

*New Delhi, the 6th January, 2011*

S. O. 19(E).— Whereas a draft notification under sub-section (1) of section and clause (V) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 was issued inviting objections and suggestions for the declaration of coastal stretches as Coastal Regulation Zone and imposing restrictions on industries, operations and processes in the CRZ was published vide S. O. No. 2291 (E) dated 15th September, 2010;

And Whereas, copies of the said Gazette were made available to the public on 15th September, 2010;

And Whereas, the suggestions and objections received from the public have been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government, with a view to ensure livelihood security to the fisher communities and other local communities, living in the coastal areas, to conserve and protect coastal stretches, its unique environment and its marine area and to promote development through sustainable manner based on scientific principles taking into account the dangers of natural hazards in the coastal areas, sea level rise due to global warming, does hereby, declare the coastal stretches of the country and the water area upto its territorial water limit, excluding the islands of Andaman and Nicobar and Lakshadweep and the marine areas surrounding these islands upto its territorial limit, as Coastal Regulation Zone (hereinafter referred to as the CRZ) and restricts the setting up and expansion of any industry, operations or processes and manufacture or handling or storage or disposal of hazardous substances as specified in the Hazardous Substances (Handling, Management and Transboundary Movement) Rules, 2009 in the aforesaid CRZ; and

In exercise of powers also conferred by clause (d) and sub-rule (3) of rule 5 of Environment (Protection) Act, 1986 and in supersession of the notification of the Government of India in the Ministry of Environment and Forests, number S.O.114(E), dated the 19th February, 1991 except as respects things done or omitted to be done before such supersession, the Central Government hereby declares the following areas as CRZ and imposes with effect from the date of the notification the following restrictions on the setting up and expansion of industries, operations or processes and the like in the CRZ,—

- (i) the land area from High Tide Line (hereinafter referred to as the HTL) to

500 mts. on the landward side along the sea front;

(ii) CRZ shall apply to the land area between HTL to 100 mts. or width of the creek whichever is less on the landward side along the tidal influenced water bodies that are connected to the sea and the distance upto which development along such tidal influenced water bodies is to be regulated shall be governed by the distance upto which the tidal effects are experienced which shall be determined based on salinity concentration of 5 parts per thousand (ppt) measured during the driest period of the year and distance upto which tidal effects are experienced shall be clearly identified and demarcated accordingly in the Coastal Zone Management Plans (hereinafter referred to as the CZMPs);

*Explanation.*— For the purposes of this sub-paragraph the expression tidal influenced water bodies means the water bodies influenced by tidal effects from sea, in the bays, estuaries, rivers, creeks, backwaters, lagoons, ponds connected to the sea or creeks and the like.

(iii) the land area falling between the hazard line and 500 mts. from HTL on the landward side, in case of seafront and between the hazard line and 100 mts. line in case of tidal influenced water body the word 'hazard line' denotes the line demarcated by Ministry of Environment and Forests (hereinafter referred to as the MoEF) through the Survey of India (hereinafter referred to as the SoI) taking into account tides, waves, sea level rise and shoreline changes;

(iv) land area between HTL and Low Tide Line (hereinafter referred to as the LTL) which will be termed as the intertidal zone;

(v) the water and the bed area between the LTL to the territorial water limit (12 Nm) in case of sea and the water and the bed area between LTL at the bank to the LTL on

the opposite side of the bank, of tidal influenced water bodies.

2. For the purposes of this notification, the HTL means the line on the land upto which the highest water line reaches during the spring tide and shall be demarcated uniformly in all parts of the country by the demarcating authority(s) so authorized by the MoEF in accordance with the general guidelines issued at Annexure-I. HTL shall be demarcated within one year from the date of issue of this notification.

3. *Prohibited activities within CRZ.*— The following are declared as prohibited activities within the CRZ,—

(i) Setting up of new industries and expansion of existing industries except,—

(a) those directly related to waterfront or directly needing foreshore facilities;

*Explanation:* The expression "foreshore facilities" means those activities permissible under this notification and they require waterfront for their operations such as ports and harbours, jetties, quays, wharves, erosion control measures, breakwaters, pipelines, lighthouses, navigational safety facilities, coastal police stations and the like;

(b) projects of Department of Atomic Energy;

(c) facilities for generating power by non-conventional energy sources and setting up of desalination plants in the areas not classified as CRZ-I(i) based on an impact assessment study including social impacts;

(d) development of green field Airport already permitted only at Navi Mumbai;

(e) reconstruction, repair works of dwelling units of local communities including fishers in accordance with local Town and Country Planning Regulations.

(ii) manufacture or handling oil storage or disposal of hazardous substance as specified in the notification of Ministry of Environment and Forests, No. S.O. 594 (E) dated the 28th July, 1989, S.O. No. 966(E) dated the 27th November, 1989 and GSR 1037 (E) dated the 5th December, 1989 except,—

(a) transfer of hazardous substances from ships to ports, terminals and refineries and vice versa;

(b) facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-II appended to this notification and facilities for regasification of Liquefied Natural Gas (hereinafter referred to as the LNG) in the areas not classified as CRZ-I(i) subject to implementation of safety regulations including guidelines issued by the Oil Industry Safety Directorate in the Ministry of Petroleum and Natural Gas and guidelines issued by MoEF and subject to further terms and conditions for implementation of ameliorative and restorative measures in relation to environment as may be stipulated by in MoEF:

Provided that facilities for receipt and storage of fertilizers and raw materials required for manufacture of fertilizers like ammonia, phosphoric acid, sulphur, sulphuric acid, nitric acid and the like, shall be permitted within the said zone in the areas not classified as CRZ-I(i).

(iii) Setting up and expansion of fish processing units including warehousing except hatchery and natural fish drying in permitted areas;

(iv) Land reclamation, bunding or disturbing the natural course of seawater except those,—

(a) required for setting up, construction or modernisation or expansion of foreshore facilities like ports, harbours, jetties, wharves, quays, slipways, bridges, sealink, road on stilts, and such as meant for defence

and security purpose and for other facilities that are essential for activities permissible under the notification;

(b) measures for control of erosion, based on scientific including Environmental Impact Assessment (hereinafter referred to as the EIA) studies;

(c) maintenance or clearing of waterways, channels and ports, based on EIA studies;

(d) measures to prevent sand bars, installation of tidal regulators, laying of storm water drains or for structures for prevention of salinity ingress and freshwater recharge based on carried out by any agency to be specified by MoEF;

(v) Setting up and expansion of units or mechanism for disposal of wastes and effluents except facilities required for,—

(a) discharging treated effluents into the water course with approval under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);

(b) storm water drains and ancillary structures for pumping;

(c) treatment of waste and effluents arising from hotels, beach resorts and human settlements located in CRZ areas other than CRZ-I and disposal of treated wastes and effluents;

(vi) Discharge of untreated waste and effluents from industries, cities or towns and other human settlements. The concerned authorities shall implement schemes for phasing out existing discharge of this nature, if any, within a time period not exceeding two years from the date of issue of this notification;

(vii) Dumping of city or town wastes including construction debris, industrial solid wastes, fly ash for the purpose of land filling and the like and the concerned authority shall implement schemes for phasing out any

existing practice, if any, shall be phased out within a period of one year from date of commencement of this notification;

*Note:-* The MoEF will issue a separate instruction to the State Governments and Union territory Administration in respect of preparation of Action Plans and their implementation as also monitoring including the time schedule thereof, in respect of paras (v), (vi) and (vii).

(viii) Port and harbour projects in high eroding stretches of the coast, except those projects classified as strategic and defence related in terms of EIA notification, 2006 identified by MoEF based on scientific studies and in consultation with the State Government or the Union territory Administration;

(ix) Reclamation for commercial purposes such as shopping and housing complexes, hotels and entertainment activities;

(x) Mining of sand, rocks and other sub-strata materials except,—

(a) those rare minerals not available outside the CRZ area;

(b) exploration and exploitation of Oil and Natural Gas;

(xi) Drawl of groundwater and construction related thereto, within 200 mts. of HTL; except the following:—

(a) in the areas which are inhabited by the local communities and only for their use.

(b) In the area between 200 mts.-500 mts. zone, the drawl of groundwater shall be permitted only when done manually through ordinary wells for drinking, horticulture, agriculture and fisheries and where no other source of water is available.

*Note:-* Restrictions for such drawl may be imposed by the Authority designated by the State Government and Union territory Administration in the areas affected by sea water intrusion.

(xii) Construction activities in CRZ-I except those specified in para 8 of this notification.

(xiii) Dressing or altering the sand dunes, hills, natural features including landscape changes for beautification, recreation and other such purpose.

(xiv) Facilities required for patrolling and vigilance activities of marine/coastal police stations.

4. *Regulation of permissible activities in CRZ area.*— The following activities shall be regulated except those prohibited in para 3 above,—

(i)(a) clearance shall be given for any activity within the CRZ only if it requires waterfront and foreshore facilities;

(b) for those projects which are listed under this notification and also attract EIA notification, 2006 [S.O.1533 (E) dated the 14th September, 2006], for such projects clearance under EIA notification only shall be required subject to being recommended by the concerned State or Union territory Coastal Zone Management Authority (hereinafter referred to as the CZMA);

(c) Housing schemes in CRZ as specified in paragraph 8 of this notification;

(d) Construction involving more than 20,000 sq. mts. built-up area in CRZ-II shall be considered in accordance with EIA notification, 2006 and in case of projects less than 20,000 sq. mts. built-up area shall be approved by the concerned State or Union territory Planning authorities in accordance with this notification after obtaining recommendations from the concerned CZMA and prior recommendations of the concern CZMA shall be essential for considering the grant of environmental clearance under EIA notification, 2006 or grant of approval by the relevant planning authority;

(e) MoEF may under a specific or general order specify projects which require prior public hearing of project affected people;



(f) construction and operation for ports and harbours, jetties, wharves, quays, slipways, ship construction yards, breakwaters, groynes, erosion control measures;

(ii) the following activities shall require clearance from MoEF, namely:—

(a) those activities not listed in the EIA notification, 2006;

(b) construction activities relating to projects of Department of Atomic Energy or Defence requirements for which foreshore facilities are essential such as, slipways, jetties, wharves, quays; except for classified operational component of defence projects. Residential buildings, office buildings, hospital complexes, workshops of strategic and defence projects in terms of EIA notification, 2006;

(c) construction, operation of lighthouses;

(d) laying of pipelines, conveying systems, transmission line;

(e) exploration and extraction of oil and natural gas and all associated activities and facilities thereto;

(f) foreshore requiring facilities for transport of raw materials, facilities for intake of cooling water and outfall for discharge of treated wastewater or cooling water from thermal power plants. MoEF may specify for category of projects such as at (f), (g) and (h) of para 4;

(g) mining of rare minerals as listed by the Department of Atomic Energy;

(h) facilities for generating power by non-conventional energy resources, desalination plants and weather radars;

(i) demolition and reconstruction of (a) buildings of archaeological and historical

importance, (ii) heritage buildings; and buildings under public use which means buildings such as for the purposes of worship, education, medical care and cultural activities.

*4.2 Procedure for clearance of permissible activities.*— All projects attracting this notification shall be considered for CRZ clearance as per the following procedure, namely:—

(i) The project proponents shall apply with the following documents seeking prior clearance under CRZ notification to the concerned State or the Union territory Coastal Zone Management Authority,—

(a) Form-1 (Annexure-IV of the notification);

(b) Rapid EIA Report including marine and terrestrial component except for construction projects listed under 4(c) and (d);

(c) Comprehensive EIA with cumulative studies for projects in the stretches classified as low and medium eroding by MoEF based on scientific studies and in consultation with the State Governments and Union territory Administration;

(d) Disaster Management Report, Risk Assessment Report and Management Plan;

(e) CRZ map indicating HTL and LTL demarcated by one of the authorized agency (as indicated in para 2) in 1:4000 scale;

(f) Project layout superimposed on the above map indicated at (e) above;

(g) The CRZ map normally covering 7 km. radius around the project site.

(h) The CRZ map indicating the CRZ-I, II, III and IV areas including other notified ecologically sensitive areas;

(i) No Objection Certificate from the concerned State Pollution Control Boards or

Union territory Pollution Control Committees for the projects involving discharge of effluents, solid wastes, sewage and the like;

(ii) The concerned CZMA shall examine the above documents in accordance with the approved CZMP and in compliance with CRZ notification and make recommendations within a period of sixty days from date of receipt of complete application,—

(a) MoEF or State Environmental Impact Assessment Authority (hereinafter referred to as the SEIAA) as the case may be for the project attracting EIA notification, 2006;

(b) MoEF for the projects not covered in the EIA notification, 2006 but attracting para 4(ii) of the CRZ notification;

(iii) MoEF or SEIAA shall consider such projects for clearance based on the recommendations of the concerned CZMA within a period of sixty days.

(iv) The clearance accorded to the projects under the CRZ notification shall be valid for the period of five years from the date of issue of the clearance for commencement of construction and operation.

(v) *For Post clearance monitoring.*— (a) It shall be mandatory for the project proponent to submit half-yearly compliance reports in respect of the stipulated terms and conditions of the environmental clearance in hard and soft copies to the regulatory authority(s) concerned, on 1st June and 31st December of each calendar year and all such compliance reports submitted by the project proponent shall be published in public domain and its copies shall be given to any person on application to the concerned CZMA.

(b) the compliance report shall also be displayed on the website of the concerned regulatory authority.

(vi) To maintain transparency in the working of the CZMAs it shall be the responsibility of

the CZMA to create a dedicated website and post the agenda, minutes, decisions taken, clearance letters, violations, action taken on the violations and court matters including the Orders of the Hon'ble Court as also the approved CZMPs of the respective State Government or Union territory.

5. *Preparation of Coastal Zone Management Plans.*— (i) The MoEF may obtain the CZMPs prepared through the respective State Government or Union territory;

(ii) The CZMPs may be prepared by the coastal State Government or Union territory by engaging reputed and experienced scientific institution(s) or the agencies including the National Centre for Sustainable Coastal Management (hereinafter referred to as the NCSCM) of MoEF and in consultation with the concerned stakeholders;

(iii) The hazard line shall be mapped by MoEF through SoI all along the coastline of the country and the hazard line shall be demarcated taking into account, tide, waves, sea level rise and shoreline changes;

(iv) For the purpose of depicting the flooding due to tides, waves and sea level rise in the next fifty and hundred years, the contour mapping of the coastline shall be carried out at 0.5 m. interval normally upto 7 km. from HTL on the landward side, and the shoreline changes shall be demarcated based on historical data by comparing the previous satellite imageries with the recent satellite imageries;

(v) Mapping of the hazard line shall be carried out in 1:25,000 scale for macro level planning and 1:10,000 scale or cadastral scale for micro level mapping and the hazard line shall be taken into consideration while preparing the land use plan of the coastal areas;

(vi) The coastal States and Union territory will prepare within a period of twenty-four

months from the date of issue this notification, draft CZMPs in 1:25,000 scale map identifying and classifying the CRZ areas within the respective territories in accordance with the guidelines given in Annexure-I of the notification, which involve public consultation;

(vii) The draft CZMPs shall be submitted by the State Government or Union territory to the concerned CZMA for appraisal, including appropriate consultations, and recommendations in accordance with the procedure(s) laid down in the Environment (Protection) Act, 1986;

(viii) The State Government or Union territory CZMA shall submit the draft CZMPs to MoEF alongwith its recommendations on the CZMP within a period of six months after incorporating the suggestions and objections received from the stakeholders;

(ix) MoEF shall thereafter consider and approve the CZMPs within a period of four months from the date of receipt of the CZMPs complete in all respects;

(x) All developmental activities listed in this notification shall be regulated by the State Government, Union Territory Administration, the local authority or the concerned CZMA within the framework of such approved CZMPs as the case may be in accordance with provisions of this notification;

(xi) The CZMPs shall not normally be revised before a period of five years after which, the concerned State Government or the Union territory may consider undertaking revision of the maps following the above procedures;

(xii) The CZMPs already approved under CRZ notification, 1991 shall be valid for a period of twenty-four months unless the aforesaid period is extended by MoEF by a specific notification subject to such terms and conditions as may be specified therein.

6. *Enforcement of the CRZ, notification, 2011.*— (a) For the purpose of implementation and enforcement of the provisions this

notification and compliance with conditions stipulated thereunder, the powers either original or delegated are available under Environment (Protection) Act, 1986 with the MoEF, State Government or the Union territory Administration NCZMA and SCZMAs;

(b) The composition, tenure and mandate of NCZMA and State Government or the Union territory CZMAs have already been notified by MoEF in terms of Orders of Hon'ble Supreme Court in Writ Petition 664 of 1993;

(c) The State Government or the Union territory CZMAs shall primarily be responsible for enforcing and monitoring of this notification and to assist in this task, the State Government and the Union territory shall constitute District Level Committees under the Chairmanship of the District Magistrate concerned containing at least three representatives of local traditional coastal communities including from fisherfolk;

(d) The dwelling units of the traditional coastal communities including fisherfolk, tribals as were permissible under the provisions of the CRZ notification, 1991, but which have not obtained formal approval from concerned authorities under the aforesaid notification shall be considered by the respective Union territory CZMAs and the dwelling units shall be regularized subject to the following condition, namely:—

(i) these are not used for any commercial activity;

(ii) these are not sold or transferred to non-traditional coastal community.

7. *Classification of the CRZ.*—For the purpose of conserving and protecting the coastal areas and marine waters, the CRZ area shall be classified as follows, namely:—

(i) CRZ-I,—

A. The areas that are ecologically sensitive and the geomorphological features which play a role in the maintaining the integrity of the coast,—

(a) Mangroves, in case mangrove area is more than 1000 sq. mts., a buffer of 50 meters along the mangroves shall be provided;

(b) Corals and coral reefs and associated biodiversity;

(c) Sand Dunes;

(d) Mudflats which are biologically active;

(e) National parks, marine parks, sanctuaries, reserve forests, wildlife habitats and other protected areas under the Provisions of Wild Life (Protection) Act, 1972 (53 of 1972), the Forest (Conservation) Act, 1980 (69 of 1980) or Environment (Protection) Act, 1986 (29 of 1986); including Biosphere Reserves;

(f) Salt Marshes;

(g) Turtle nesting grounds;

(h) Horse shoe crabs habitats;

(i) Sea grass beds;

(j) Nesting grounds of birds;

(k) Areas or structures of archaeological importance and heritage sites.

B. The area between Low Tide Line and High Tide Line;

(ii) CRZ-II,—

The areas that have been developed upto or close to the shoreline.

*Explanation.*— For the purposes of the expression “developed area” is referred to as that area within the existing municipal limits or in other existing legally designated urban areas which are substantially built-up and has been provided with drainage and approach roads and other infrastructural facilities, such as water supply and sewerage mains;

(iii) CRZ-III,—

Areas that are relatively undisturbed and those do not belong to either CRZ-I or II which

include coastal zone in the rural areas (developed and undeveloped) and also areas within municipal limits or in other legally designated urban areas, which are not substantially built-up.

(iv) CRZ-IV,—

A. the water area from the Low Tide Line to twelve nautical miles on the seaward side;

B. shall include the water area of the tidal influenced water body from the mouth of the water body at the sea upto the influence of tide which is measured as five parts per thousand during the driest season of the year.

(v) Areas requiring special consideration for the purpose of protecting the critical coastal environment and difficulties faced by local communities,—

A. (i) CRZ area falling within municipal limits of Greater Mumbai;

(ii) the CRZ areas of Kerala including the backwaters and backwater islands;

(iii) CRZ areas of Goa.

B. Critically Vulnerable Coastal Areas (CVCA) such as Sunderbans region of West Bengal and other ecologically sensitive areas identified as under Environment (Protection) Act, 1986 and managed with the involvement of coastal communities including fisherfolk.

8. *Norms for regulation of activities permissible under this notification.*—

(i) The development or construction activities in different categories of CRZ shall be regulated by the concerned CZMA in accordance with the following norms, namely:—

*Note:*— The word existing use hereinafter in relation to existence of various features or existence of regularisation or norms shall mean existence of these features or regularisation or norms as on 19-2-1991 wherein CRZ notification, was notified.

## I. CRZ-I,—

(i) no new construction shall be permitted in CRZ-I except,—

(a) projects relating to Department of Atomic Energy;

(b) pipelines, conveying systems including transmission lines;

(c) facilities that are essential for activities permissible under CRZ-I;

(d) installation of weather radar for monitoring of cyclones movement and prediction by Indian Meteorological Department;

(e) construction of trans harbour sea link and without affecting the tidal flow of water, between LTL and HTL;

(f) development of green field airport already approved at only Navi Mumbai.

(ii) Areas between LTL and HTL which are not ecologically sensitive, necessary safety measures will be incorporated while permitting the following, namely:—

(a) exploration and extraction of natural gas;

(b) construction of dispensaries, schools, public rainshelter, community toilets, bridges, roads, jetties, water supply, drainage, sewerage which are required for traditional inhabitants living within the biosphere reserves after obtaining approval from concerned CZMA;

(c) necessary safety measure shall be incorporated while permitting such developmental activities in the area falling in the hazard zone;

(d) salt harvesting by solar evaporation of seawater;

(e) desalination plants;

(f) storage of non-hazardous cargo such as edible oil, fertilizers and food grain within notified ports;

(g) construction of trans harbour sea links, roads on stilts or pillars without affecting the tidal flow of water.

## II. CRZ-II,—

(i) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures;

(ii) buildings permitted on the landward side of the existing and proposed roads or existing authorized structures shall be subject to the existing local town and country planning regulations including the 'existing' norms of Floor Space Index or Floor Area Ratio:

Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road;

(iii) reconstruction of authorized building to be permitted subject with the existing Floor Space Index or Floor Area Ratio Norms and without change in present use;

(iv) facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-II appended to this notification and facilities for regasification of Liquefied Natural Gas subject to the conditions as mentioned in sub-paragraph (ii) of paragraph 3;

(v) desalination plants and associated facilities;

(vi) storage of non-hazardous cargo, such as edible oil, fertilizers and food grain in notified ports;

(vii) facilities for generating power by non-conventional power sources and associated facilities;



## III. CRZ-III,—

A. Area upto 200 mts. from HTL on the landward side in case of seafront and 100 mts. along tidal influenced water bodies or width of the creek whichever is less is to be earmarked as “No Development Zone (NDZ)”,—

(i) the NDZ shall not be applicable in such area falling within any notified port limits;

(ii) No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities; Construction/ /reconstruction of dwelling units of traditional coastal communities including fisherfolk may be permitted between 100 and 200 metres from the HTL along the seafront in accordance with a comprehensive plan prepared by the State Government or the Union territory in consultation with the traditional coastal communities including fisherfolk and incorporating the necessary disaster management provision, sanitation and recommended by the concerned State or the Union territory CZMA to NCZMA for approval by MoEF;

(iii) however, the following activities may be permitted in NDZ –

(a) agriculture, horticulture, gardens, pasture, parks, play field and forestry;

(b) projects relating to Department of Atomic Energy;

(c) mining of rare minerals;

(d) salt manufacture from seawater;

(e) facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-II;

(f) facilities for regasification of liquefied natural gas subject to conditions as mentioned in sub-paragraph (ii) of paragraph 3;

(g) facilities for generating power by non-conventional energy sources;

(h) Foreshore facilities for desalination plants and associated facilities;

(i) weather radars;

(j) construction of dispensaries, schools, public rain shelter, community toilets, bridges, roads, provision of facilities for water supply, drainage, sewerage, crematoria, cemeteries and electric sub-station which are required for the local inhabitants may be permitted on a case to case basis by CZMA;

(k) construction of units or auxiliary thereto for domestic sewage, treatment and disposal with the prior approval of the concerned Pollution Control Board or Committee;

(l) facilities required for local fishing communities such as fish drying yards, auction halls, net mending yards, traditional boat building yards, ice plant, ice crushing units, fish curing facilities and the like;

(m) development of green field airport already permitted only at Navi Mumbai.

## B. Area between 200 mts. to 500 mts.,—

The following activities shall be permissible in the above areas:—

(i) development of vacant plot in designated areas for construction of hotels or beach resorts for tourists or visitors subject to the conditions as specified in the guidelines at Annexure-III;

(ii) facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-II;

(iii) facilities for regasification of liquefied natural gas subject to conditions as mentioned in sub-paragraph (ii) of paragraph 3;

(iv) storage of non-hazardous cargo such as, edible oil, fertilizers, food grain in notified ports;

(v) foreshore facilities for desalination plants and associated facilities;

(vi) facilities for generating power by non-conventional energy sources;

(vii) construction or reconstruction of dwelling units so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and goathans. Building permission for such construction or reconstruction will be subject to local Town and Country Planning Rules with overall height of construction not exceeding 9 mts. with two floors (ground+one floor);

(viii) construction of public rain shelters, community toilets, water supply drainage, sewerage, roads and bridges by CZMA who may also permit construction of schools and dispensaries for local inhabitants of the area for those panchayats, the major part of which falls within CRZ if no other area is available for construction of such facilities;

(ix) reconstruction or alteration of existing authorised building subject to sub-paragraph (vii), (viii);

(x) development of green field airport already permitted only at Navi Mumbai.

(IV) In CRZ-IV areas,—

The activities impugning on the sea and tidal influenced water bodies will be regulated except for traditional fishing and related activities undertaken by local communities as follows:—

(a) No untreated sewage, effluents, ballast water, ship washes, fly ash or solid waste from all activities including from aquaculture operations shall be let off or dumped. A comprehensive plan for treatment of sewage generating from the coastal towns and cities shall be formulated within a

period of one year in consultation with stakeholders including traditional coastal communities, traditional fisherfolk and implemented;

(b) Pollution from oil and gas exploration and drilling, mining, boat house and shipping;

(c) There shall be no restriction on the traditional fishing and allied activities undertaken by local communities.

V. Areas requiring special consideration,—

1. CRZ areas falling within municipal limits of the Greater Mumbai.

(i) Developmental activities in the CRZ area of the Greater Mumbai because of the environmental issues, relating to degradation of mangroves, pollution of creeks and coastal waters, due to discharge of untreated effluents and disposal of solid waste, the need to provide decent housing to the poor section of society and lack of suitable alternatives in the inter connected islands of Greater Mumbai shall be regulated as follows, namely:—

A. *Construction of roads.*— In CRZ-I areas indicated at sub-paragraph (i) of paragraph 7 of the notification the following activities only can be taken up:—

(a) Construction of roads, approach roads and missing link roads approved in the Developmental Plan of Greater Mumbai on stilts ensuring that the free flow of tidal water is not affected, without any benefit of CRZ-II accruing on the landward side of such constructed roads or approach roads subject to the following conditions:—

(i) All mangrove areas shall be mapped and notified as protected forest and necessary protection and conservation measures for the identified mangrove areas shall be initiated.

(ii) Five times the number of mangroves destroyed/cut during the construction process shall be replanted.

B. Solid waste disposal sites shall be identified outside the CRZ area and thereafter within two years the existing conventional solid waste sites shall be relocated outside the CRZ area.

(iii) In CRZ-II areas—

(a) The development or redevelopment shall continue to be undertaken in accordance with the norms laid down in the Town and Country Planning Regulations as they existed on the date of issue of the notification dated the 19th February, 1991, unless specified otherwise in this notification.

(b) Slum Rehabilitation Schemes,—

1. In the Greater Mumbai area there are large slum clusters with lakhs of families residing therein and the living conditions in these slums are deplorable and the civic agencies are not able to provide basic infrastructure such as drinking water, electricity, roads, drainage and the like because the slums come up in an unplanned and congested manner and the slums in the coastal area are at great risk in the event of cyclones, storm surges or tsunamis, in view of the difficulties in providing rescue, relief and evacuation.

2. To provide a safe and decent dwelling to the slum dwellers, the State Government may implement slum redevelopment schemes as identified as on the date of issue of this notification directly or through its parastatal agencies like Maharashtra Housing and Area Development Authority (MHADA), Shivshahi Punarvasan Prkalp Limited (SPPL), Mumbai Metropolitan Region Development Authority (MMRDA) and the like:

Provided that,—

(i) such redevelopment schemes shall be undertaken directly or through joint ventures or through public private partnerships or other similar models ensuring that the stake of the State Government or its parastatal entities shall be not less than 51%.

(ii) the Floor Space Index or Floor Area Ratio for such redevelopment schemes shall be in accordance with the Town and Country Planning Regulations prevailing as on the date on which the project is granted approval by the competent authority;

(iii) it shall be the duty of the project proponent undertaking the redevelopment through conditions (i)(2) above alongwith the State Government to ensure that all legally regularized tenants are provided houses in situ or as per norms laid down by the State Government in this regard.

(c) Redevelopment of Dilapidated cessed and Unsafe Building,—

1. In the Greater Mumbai, there are, also a large number of old and dilapidated, cessed and unsafe buildings in the CRZ areas and due to their age these structures are extremely vulnerable and disaster prone and therefore there is an urgent need for the redevelopment or reconstruction of these identified buildings.

2. These projects shall be taken up subject to the following conditions and safeguards:

(i) such redevelopment or reconstruction projects as identified on the date of issue of this notification shall be allowed to be taken up involving the owners of these buildings either above or with private developers in accordance with the prevailing Regulation, directly or through joint ventures or through other similar models.

(ii) the Floor Space Index or Floor Area Ratio for such redevelopment schemes shall be in accordance with the Town and Country Planning Regulations prevailing as on the date on which the project is granted approval by the competent authority.

(iii) suitable accommodation to the original tenants of the specified buildings shall be ensured during the course of redevelopment or reconstruction of the buildings by the project proponents,

undertaking the redevelopment through condition 2(i) above.

(d) Notwithstanding anything contained in this notification, the developmental activities for slums and for dilapidated, cessed and unsafe buildings as specified at paras (b) and (c) above shall be carried out in an accountable and transparent manner by the project proponents mentioned therein which shall include the following pre-condition measures, wherever applicable:—

1. (i) applicability of the Right to Information Act, 2005 to all redevelopment or reconstruction projects granted clearance by the Competent Authorities;

(ii) MoEF shall issue an order constituting the CPIO and the first Appellate Authority of appropriate ranks in consultation with Government of Maharashtra;

(iii) details of the Slum Rehabilitation Scheme, including the complete proposal and the names of the eligible slum dwellers will be declared *suo-moto* as a requirement of Section 4 of compliance of the Right to Information Act, 2005 by the appropriate authority in the Government of Maharashtra in one month before approving it;

(iv) the implementing or executing agency at the State Government with regard to projects indicated at sub-item (b) and (c) of item (iii) of sub-paragraph V shall display on a large notice board at the site and at the office of the implementing or executing agency the names of the eligible builders, total number of tenements being made, names of eligible slum dwellers who are to be provided the dwelling units and the extra area available for free sale.

(v) Projects being developed under sub-items (b) and (c) of item (iii) of sub-paragraph V shall be given permission only if the project proponent agree to be covered under the Right to Information Act, 2005.

2. MoEF may appoint statutory auditors, who are empanelled by the Comptroller and Auditor General (hereinafter referred to as the C & AG) to undertake performance and fiscal audit in respect of the projects relating to redevelopment of dilapidated, cessed and unsafe buildings and the projects relating to Slum Rehabilitation Scheme shall be audited by C & AG.

3. A High Level Oversight Committee may be setup by the Government of Maharashtra for periodic review of implementation of V(iii)(b) and (c) which shall include eminent representatives of various Stakeholders, like Architects, Urban Planner, Engineers and Civil Society, besides the local urban bodies, the State Government and the Central Government.

4. The individual projects under V(iii)(b) and (c) shall be undertaken only after public consultation in which views of only the legally entitled slum dweller or the legally entitled tenant of the dilapidated or cessed buildings shall be obtained in accordance with the procedures laid down in EIA notification, 2006.

(e) In order to protect and preserve the 'green lung' of the Greater Mumbai area, all open spaces, parks, gardens, playgrounds indicated in development plans within CRZ-II shall be categorized as CRZ-III, that is, 'no development zone'.

(f) the Floor Space Index upto 15% shall be allowed only for construction of civic amenities, stadium and gymnasium meant for recreational or sports related activities and the residential or commercial use of such open spaces shall not be permissible.

(g) Koliwada namely, fishing settlement areas as identified in the Development Plan of 1981 or relevant records of the Government of Maharashtra, shall be mapped and declared as CRZ-III so that any development, including construction and reconstruction of dwelling units within these settlements shall be

undertaken in accordance with applicable as per local Town and Country Planning Regulations.

(h) Reconstruction and repair works of the dwelling units, belonging to fisher communities and other local communities identified by the State Government, shall be considered and granted permission by the Competent Authorities on a priority basis, in accordance with the applicable Town and Country Planning Regulations.

## 2. CRZ for Kerala.—

In view of the unique coastal systems of backwater and backwater islands alongwith space limitation present in the coastal stretches of the State of Kerala, the following activities in CRZ shall be regulated as follows, namely:—

(i) all the islands in the backwaters of Kerala shall be covered under the CRZ notification;

(ii) the islands within the backwaters shall have 50 mts. width from the High Tide Line on the landward side as the CRZ area;

(iii) within 50 mts. from the HTL of these backwater islands existing dwelling units of local communities may be repaired or reconstructed however no new construction shall be permitted;

(iv) beyond 50 mts. from the HTL on the landward side of backwater islands, dwelling units of local communities may be constructed with the prior permission of the Gram Panchayat;

(v) foreshore facilities such as fishing jetty, fish drying yards, net mending yard, fish processing by traditional methods, boat building yards, ice plants, boat repairs and the like, may be taken up within 50 mts. width from HTL of these backwater islands.

## 3. CRZ of Goa.—

In view of the peculiar circumstances of the State Goa including past history and other developments, the specific activities shall be regulated and various measures shall be undertaken as follows:—

(i) the Government of Goa shall notify the fishing villages wherein all foreshore facilities required for fishing and fishery allied activities such as traditional fish processing yards, boat building or repair yards, net mending yards, ice plants, ice storage, auction hall, jetties may be permitted by Gram Panchayat in the CRZ area;

(ii) reconstruction, repair works of the structures of local communities including fishermen community shall be permissible in CRZ;

(iii) purely temporary and seasonal structures customarily put up between the months of September to May;

(iv) the eco sensitive low lying areas which are influenced by tidal action known as khazan lands shall be mapped;

(v) the mangroves along such as khazan land shall be protected and a management plan for the khazan land prepared and no developmental activities shall be permitted in the khazan land;

(vi) sand dunes, beach stretches along the bays and creeks shall be surveyed and mapped. No activity shall be permitted on such sand dune areas;

(vii) the beaches such as Mandrem, Morjim, Galgibaga and Agonda has been designated as turtle nesting sites and protected under the Wildlife Protection Act, 1972 and these areas shall be surveyed and management plan prepared for protection of these turtle nesting sites;



(viii) no developmental activities shall be permitted in the turtle breeding areas referred to in sub-paragraph (vii).

4. (a) Critical Vulnerable Coastal Areas (CVCA) which includes Sunderbans and other identified ecological sensitive areas which shall be managed with the involvement of the local coastal communities including the fisher folk;

(b) the entire Sunderbans mangrove area and other identified ecologically important areas such as Gulf of Khambat and Gulf of Kutch in Gujarat, Malvan, Achra-Ratnagiri in Maharashtra, Karwar and Coondapur in Karnataka, Vembanad in Kerala, Gulf of Mannar in Tamil Nadu, Bhaitarkanika in Orissa, Coringa, East Godavari and Krishna in Andhra Pradesh shall be declared as Critical Vulnerable Coastal Areas (CVCA) through a process of consultation with local fisher and other communities inhabiting the area and depend on its resources for their livelihood with the objective of promoting conservation and sustainable use of coastal resources and habitats;

(c) the process of identifying planning, notifying and implementing CVCA shall be detailed in the guideline which will be developed and notified by MoEF in consultations with the stakeholders like the State Government, local coastal communities and fisherfolk and the like inhabiting the area;

(d) the Integrated Management Plans (IMPs) prepared for such CVCA shall *inter alia* keep in view the conservation and management of mangroves, needs of local communities such as, dispensaries, schools, public rain shelter, community toilets, bridges, roads, jetties, water supply, drainage, sewerage and the impact of sea level rise and other natural disasters and the IMPs will be prepared in line with the para 5 above for preparation of Coastal Zone Management Plans;

(e) till such time the IMPs are approved and notified, construction of dispensaries, schools, public rain shelters, community toilets, bridges, roads, jetties, water supply, drainage, sewerage which are required for traditional inhabitants shall be permitted on a case to case basis, by the CZMA with due regards to the views of coastal communities including fisherfolk.

[F. No. 11-83/2005-IA-III]  
J. M. MAUSKAR, Addl. Secy.

#### ANNEXURE-I

### Guidelines for Preparation of Coastal Zone Management Plans

#### I. A. Demarcation of High Tide Line.—

1. Demarcation of High Tide Line (HTL) and Low Tide Line (LTL) shall be carried out by one of the agencies authorised by MoEF based on the recommendations of the National Centre for Sustainable Coastal Management (NCSCM).

2. Demarcation of the High Tide Line or LTL shall be made on the Coastal Zone Management (CZM) Maps of scale 1:25,000 prepared by the agencies identified by the MoEF.

3. Local level CZM Maps shall be prepared for use of officials of local bodies for determination of the CRZ.

4. The local level CZM Maps shall be prepared on a Cadastral scale in accordance with the CZM Maps approved by the Central Government.

#### B. Preparation of CZM Maps.—

5. Base Maps of 1:25,000 scale shall be acquired from the Survey of India (SoI) and wherever 1:25,000 maps are not available, 1:50,000 maps shall be enlarged to 1:25,000 for the purpose of base map preparation and these maps will be of the standard specification given below:

Unit: 7.5 minutes X 7.5 minutes.

Numbering: Survey of India Sheet Numbering System.

Horizontal Datum: Everest or WGS 84.

Vertical Datum: Mean Sea Level (MSL).

Topography: Topography in the SOI maps will be updated using latest satellite imageries or aerial photographs.

6. The High Water Level (HWL) and Low Water Level (LWL) marked on the base maps will be transferred to the CZM Maps.

7. Coastal geomorphological signatures in the field or satellite imageries or aerial photographs will be used for appropriate adjustment, in the HWL or LWL for demarcating HTL or LTL in accordance with the CRZ notification.

8. The following geomorphological features shall be considered while demarcating in HTL or LTL: Landward (monsoonal) berm crest in the case of sandy beaches,

Rocks, Headlands, Cliffs,

Seawalls or Revetments or Embankments.

9. 500 meter and 200 metre lines will be demarcated with respect of HTL.

10. HTL (as defined in the CRZ notification) and LTL shall also be demarcated in the CZM Maps along the banks of tidal influenced inland water bodies with the help of the geomorphological signatures or features.

11. Classification of different coastal zones shall be done as per the CRZ notification.

12. Standard national or international colour codes shall be used to highlight sub-classification of data.

#### *C. Local level CZM Maps.—*

Local level CZM Maps are for the use of local bodies and other agencies to facilitate implementation of the Coastal Zone Management Plans.

13. Cadastral (village) maps in 1:3960 or the nearest scale, shall be used as the base maps.

14. These maps are available with revenue authorities and are prepared as per standard norms.

15. HTL (as defined in the CRZ notification) and LTL will be demarcated in the cadastral map based on detailed physical verification using coastal geomorphological signatures or features in accordance with the CZM Maps approved by the Central Government.

16. 500 metre and 200 metre lines shall be demarcated with respect to the HTL thus marked.

17. HTL (as defined in the CRZ notification, 1991) and LTL will also be demarcated along the banks of tidal influenced inland water bodies with the help of geomorphological signatures or features.

18. Classifications shall be transferred into local level CZM Maps from the CZM Plans.

19. Symbols will be adopted from CZM Maps.

20. Colour codes as given in CZM Maps shall be used.

21. Demarcation of cadastral maps will be done by local agencies approved by the Central Government. The local agencies shall work under the guidance of the concerned State Government or Union Territory Coastal Zone Management Authorities.

#### *D. Hazard mapping.—*

### **II. Classification of CRZ areas**

1. The CZM Maps shall be prepared in accordance with para 5 of the CRZ notification demarcating CRZ I, II, III, IV and V.

2. The CZM Maps shall clearly demarcate the land use plan of the area and lists out the CRZ-I areas. All the CRZ-I areas listed under para 7(I) A and B shall be clearly demarcated and colour codes given so that each of the CRZ-I areas can be clearly identified.

3. Buffer zone along mangrove areas of more than 1000 sq. mts. shall be stipulated with a different colour distinguishing from the mangrove area.

4. The buffer zone shall also be classified as CRZ-I area.

5. The hazard line to be drawn up by MoEF shall be superimposed on the CZM Maps in 1:25,000 scale and also on the cadastral scale maps.

6. The CRZ-II areas shall be those areas which have been substantially built-up with a ratio of built-up plots to that of total plots is more than 50%.

7. In the CRZ areas, the fishing villages, common properties of the fishermen communities, fishing jetties, ice plants, fish drying platforms or areas infrastructure facilities of fishing and local communities such as dispensaries, roads, schools,

and the like, shall be indicated on the cadastral scale maps. States shall prepare detailed plans for long term housing needs of coastal fisher communities in view of expansion and other needs, provisions of basic services including sanitation, safety, and disaster preparedness.

8. No developmental activities other than those listed above shall be permitted in the areas between the hazard line and 500 mts. or 100 mts. or width of the creek on the landward side. The dwelling unit of the local communities including that of the fishers will not be relocated if the dwelling units are located on the seaward side of the hazard line. The State Government will provide necessary safeguards from natural disaster to such dwelling units of local communities.

9. The water areas of CRZ IV shall be demarcated and clearly demarcated if the water body is sea, lagoon, backwater, creek, bay, estuary and for such classification of the water bodies the terminology used by Naval Hydrographic Office shall be relied upon.

10. The fishing Zones in the water bodies and the fish breeding areas shall be clearly marked.

11. The water area shall be demarcated indicating the pollution levels as per Central Pollution Control Board standards on water quality.

12. In the CRZ V areas the land use maps shall be superimposed on the Coastal Zone Management Plan and clearly demarcating the CRZ I, II, III, IV.

13. The existing authorized developments on the sea ward side shall be clearly demarcated.

14. The features like cyclone shelters, rain shelters, helipads and other infrastructure including road network may be clearly indicated on the CZM Maps for the purpose of rescue and relief operations during cyclones, storms, tsunamis and the like.

### **III. CZMPs approved by MoEF in accordance with CRZ notification, 1991**

1. While preparing the CZMPs under CRZ notification, 2011, the CZMPs that have been approved under the CRZ Notification, 1991 shall be compared. A justification shall be provided by the concerned CZMA in case the CZMPs prepared under CRZ notification, 2011 varies with respect to the

approved CZMP prepared under CRZ notification, 1991.

### **IV. Public Views on the CZMP**

(a) The draft CZMPs prepared shall be given wide publicity and suggestions and objections received in accordance with the Environment (Protection) Act, 1986. Public hearing on the draft CZMPs shall be held at district level by the concerned CZMAs.

(b) Based on the suggestions and objections received the CZMPs shall be revised and approval of MoEF shall be obtained.

(c) The approved CZMP shall be put up on the website of MoEF, concerned website of the State, Union Territory CZMA and hard copy made available in the Panchayat office, District Collector office and the like.

### **V. Revision of Coastal Zone Management Plans**

1. Whenever there is a doubt the concerned State or Union territory Coastal Zone Management Authority shall refer the matter to the National Centre for Sustainable Coastal Management who shall verify the CZMP based on latest satellite imagery and ground truthing.

2. The rectified map would be submitted to MoEF for its record.

### **ANNEXURE-II**

#### **List of petroleum and chemical products permitted for storage in [CRZ except CRZ-I(A)]**

- (i) Crude oil;
- (ii) Liquefied Petroleum Gas;
- (iii) Motor spirit;
- (iv) Kerosene;
- (v) Aviation fuel;
- (vi) High speed diesel;
- (vii) Lubricating oil;
- (viii) Butane;
- (ix) Propane;
- (x) Compressed Natural Gas;
- (xi) Naphtha;
- (xii) Furnace oil;
- (xiii) Low Sulphur Heavy Stock;
- (xiv) Liquefied Natural Gas;
- (xv) Fertilizers and raw materials for manufacture of fertilizers.

## ANNEXURE-III

**Guidelines for development of beach resorts or hotels in the designated areas of CRZ-III and CRZ-II for occupation of tourist or visitors with prior approval of the Ministry of Environment and Forests**

1. Construction of beach resorts or hotels with prior approval of MoEF in designated areas of CRZ-II and III for occupation of tourists or visitors shall be subject to the following conditions, namely:—

(a) the project proponent shall not undertake any construction within 200 metres in the landward side of High Tide Line and within the area between Low Tide Line and High Tide Line;

(b) the proposed constructions shall be beyond the hazard line or 200 mts. from the High Tide Line whichever is more;

(c) live fencing and barbed wire fencing with vegetative cover may be allowed around private properties subject to the condition that such fencing shall in no way hamper public access to the beach;

(d) no flattening of sand dunes shall be carried out;

(e) no permanent structures for sports facilities shall be permitted except construction of goal posts, net posts and lamp posts;

(f) construction of basement may be allowed subject to the condition that no objection certification is obtained from the State Ground Water Authority to the effect that such construction will not adversely affect free flow of groundwater in that area;

(g) the State Ground Water Authority shall take into consideration the guidelines issued by Central Government before granting such no objection certificate;

(h) though no construction is allowed in the no development zone for the purposes of calculation of Floor Space Index, the area of entire plot including the portion which falls within the no development zone shall be taken into account;

(i) the total plot size shall not be less than 0.4 hectares and the total covered area on all floors shall not exceed 33 percent of the plot size i.e., the Floor Space Index shall not exceed 0.33 and the

open area shall be suitably landscaped with appropriate vegetal cover;

(j) the construction shall be consistent with the surrounding landscape and local architectural style;

(k) the overall height of construction upto the highest ridge of the roof, shall not exceed 9 metres and the construction shall not be more than two floors (ground floor plus one upper floor);

(l) groundwater shall not be tapped within 200 metres of the High Tide Line; within the 200 metres-500 metres zone it can be tapped only with the concurrence of the Central or State Ground Water Board;

(m) extraction of sand, levelling or digging of sandy stretches except for structural foundation of building, swimming pool shall not be permitted within 500 metres of the High Tide Line;

(n) the quality of treated effluents, solid wastes, emissions and noise levels and the like, from the project area must conform to the standards laid down by the competent authorities including the Central or State Pollution Control Board and under the Environment (Protection) Act, 1986;

(o) necessary arrangements for the treatment of the effluents and solid wastes must be made and it must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent or solid waste shall be discharged on the beach;

(p) to allow public access to the beach, at least a gap of 20 metres width shall be provided between any two hotels or beach resorts; and in no case shall the gaps be less than 500 metres apart; and

(q) if the project involves diversion of forest land for non-forest purposes, clearance as required under the Forest (Conservation) Act, 1980 shall be obtained and the requirements of other Central and State laws as applicable to the project shall be met with; and

(r) approval of the State or Union territory Tourism Department shall be obtained.

II. In ecologically sensitive areas (such as marine parks, mangroves, coral reefs, breeding and spawning grounds of fish, wildlife habitats and such other area as may be notified by the Central or State Government Union territories) construction of beach resorts or hotels shall not be permitted.

**Form-I for seeking clearance for project attracting CRZ notification**

Basic information:—

Name of the Project:—

Location or site alternatives under consideration:—

Size of the Project (in terms of total area):—

CRZ classification of the area:—

Expected cost of the Project:—

Contact Information:—

**II. Activity**

1. Construction, operation or decommissioning of the Project involving actions, which will cause physical changes in the locality (topography, land use, changes in water bodies, and the like).

Sr. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities rates, wherever possible) with source of information data
1	2	3	4
1.1	Permanent or temporary change in land use, land cover or topography including increase in intensity of land use (with respect to local land use plan)		
1.2	Details of CRZ classification as per the approved Coastal Zone Management Plan		
1.3	Whether located in CRZ-I area		
1.4	The distance from the CRZ-I areas		
1.5	Whether located within the hazard zone as mapped by Ministry of Environment and Forests/National Disaster Management Authority		
1.6	Whether the area is prone to cyclone, tsunami, tidal surf subduction, earthquake etc.		
1.7	Whether the area is prone for saltwater ingress		
1.8	Clearance of existing land, vegetation and buildings		
1.9	Creation of new land uses		
1.10	Pre-construction investigations e. g. bore hole, soil testing		
1.11	Construction works		
1.12	Demolition works		
1.13	Temporary sites used for construction works or housing of construction workers		
1.14	Above ground buildings, structures or earthworks including linear structures, cut and fill or excavations		
1.15	Underground works including mining or tunnelling		
1.16	Reclamation works		
1.17	Dredging/reclamation/land filling/disposal of dredged material etc.		
1.18	Offshore structures		



1	2	3	4
1.19	Production and manufacturing processes		
1.20	Facilities for storage of goods or materials		
1.21	Facilities for treatment or disposal of solid waste or liquid effluents		
1.22	Facilities for long term housing of operational workers		
1.23	New road, rail or sea traffic during construction or operation		
1.24	New road, rail, air waterborne or other transport infrastructure including new or altered routes and stations, ports, airports etc.		
1.25	Closure or diversion of existing transport routes or infrastructure leading to changes in traffic movements		
1.26	New or diverted transmission lines or pipelines		
1.27	Impoundment, damming, culverting, realignment or other changes to the hydrology of watercourses or aquifers		
1.28	Stream and river crossings		
1.29	Abstraction or transfers of water from ground or surface waters		
1.30	Changes in water bodies or the land surface affecting drainage or run-off		
1.31	Transport of personnel or materials for construction, operation or decommissioning		
1.32	Long-term dismantling or decommissioning or restoration works		
1.33	Ongoing activity during decommissioning which could have an impact on the environment		
1.34	Influx of people to an area in either temporarily or permanently		
1.35	Introduction of alien species		
1.36	Loss of native species or genetic diversity		
1.37	Any other actions		

2. Use of Natural resources for construction or operation of the Project (such as land, water, materials or energy, especially any resources which are non-renewable or in short supply):

Sr. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
1	2	3	4
2.1	Land especially undeveloped or agricultural land(ha)		
2.2	Water (expected source & competing users) unit: KL D		
2.3	Minerals (MT)		
2.4	Construction material - stone, aggregates, sand/soil (expected source – MT)		
2.5	Forests and timber (source – MT)		

1	2	3	4
2.6	Energy including electricity and fuels (source, competing users) Unit: fuel (MT), energy (MW)		
2.7	Any other natural resources (use appropriate standard units)		

3. Use, storage, transport, handling or production of substances or materials, which could be harmful to human health or the environment or raise concerns about actual or perceived risks to human health:

Sr. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
1	2	3	4
3.1	Use of substances or materials, which are hazardous (as per MSIHC rules) to human health or the environment (flora, fauna and water supplies)		
3.2	Changes in occurrence of disease or affect disease vectors (e. g. insect or water borne diseases)		
3.3	Affect the welfare of people e. g. by changing living conditions		
3.4	Vulnerable groups of people who could be affected by the project e.g. hospital patients, children, the elderly etc.		
3.5	Any other causes, that would affect local communities, fisherfolk, their livelihood, dwelling units of traditional local communities etc.		

4. Production of solid wastes during construction or operation or decommissioning (MT/month):

Sr. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
1	2	3	4
4.1	Spoil, overburden or mine wastes		
4.2	Municipal waste (domestic and or commercial wastes)		
4.3	Hazardous wastes (as per Hazardous Waste Management Rules)		
4.4	Other industrial process wastes		
4.5	Surplus product		
4.6	Sewage sludge or other sludge from effluent treatment		
4.7	Construction or demolition wastes		
4.8	Redundant machinery or equipment		
4.9	Contaminated soils or other materials		
4.10	Agricultural wastes		
4.11	Other solid wastes		

## 5. Release of pollutants or any hazardous, toxic or noxious substances to air (Kg/hr):

Sr. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
1	2	3	4
5.1	Emissions from combustion of fossil fuels from stationary or mobile sources		
5.2	Emissions from production processes		
5.3	Emissions from materials handling including storage or transport		
5.4	Emissions from construction activities including plant and equipment		
5.5	Dust or odours from handling of materials including construction materials, sewage and waste		
5.6	Emissions from incineration of waste		
5.7	Emissions from burning of waste in open air (e.g. slash materials, construction debris)		
5.8	Emissions from any other sources		

## 6. Generation of Noise and Vibration, and Emissions of Light and Heat:

Sr. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
1	2	3	4
6.1	From operation of equipment e. g. engines, ventilation plant, crushers		
6.2	From industrial or similar processes		
6.3	From construction or demolition		
6.4	From blasting or piling		
6.5	From construction or operational traffic		
6.6	From lighting or cooling systems		
6.7	From any other sources		

## 7. Risks of contamination of land or water from releases of pollutants into the ground or into sewers, surface waters, groundwater, coastal waters or the sea:

Sr. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
1	2	3	4
7.1	From handling, storage, use or spillage of hazardous materials		
7.2	From discharge of sewage or other effluents to water or the land (expected mode and place of discharge)		
7.3	By deposition of pollutants emitted to air into the land or into water		
7.4	From any other sources		
7.5	Is there a risk of long term build up of pollutants in the environment from these sources		

8. Risk of accidents during construction or operation of the Project, which could affect human health or the environment:

Sr. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
1	2	3	4
8.1	From explosions, spillages, fires etc. from storage, handling, use or production of hazardous substances		
8.2	From any other causes		
8.3	Could the project be affected by natural disasters causing environmental damage (e.g. floods, earthquakes, landslides, cloudburst etc.		

9. Factors which should be considered (such as consequential development) which could lead to environmental effects or the potential for cumulative impacts with other existing or planned activities in the locality:

Sr. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
1	2	3	4
9.1	Lead to development of supporting.  Lities, ancillary development or development stimulated by the project which could have impact on the environment e. g.:  Supporting infrastructure (roads, power supply, waste or waste water treatment, etc.) housing development extractive industries supply industries other		
9.2	Lead to after-use of the site, which could have an impact on the environment		
9.3	Set a precedent for later developments		
9.4	Have cumulative effects due to proximity to other existing or planned projects with similar effects		

### III. Environmental Sensitivity

Sr. No.	Areas	Name/Identity	Aerial distance (within 15 km.) Proposed project location boundary
1	2	3	4
1	Areas protected under international conventions, national or local legislation for their ecological, landscape, cultural or other related value		

1	2	3	4
2	Areas which are important or sensitive for ecological reasons - Wetlands , watercourses or other water bodies, coastal zone, biospheres, mountains, forests		
3	Areas used by protected, important or sensitive species of flora or fauna for breeding, nesting, foraging, resting, over wintering, migration		
4	Inland, coastal, marine or underground waters		
5	State, National boundaries		
6	Routes or facilities used by the public for access to recreation or other tourist, pilgrim areas		
7	Defence installations		
8	Densely populated or built-up area		
9	Areas occupied by sensitive man-made land uses (hospitals, schools, places of worship, community facilities)		
10	Areas containing important, high quality or scarce resources (ground water resources, surface resources, forestry, agriculture, fisheries, tourism, minerals)		
11	Areas already subjected to pollution or environmental damage (those where existing legal environmental standards are exceeded)		
12	Areas susceptible to natural hazard which could cause the project to present environmental problems (earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions)		

## MINISTRY OF ENVIRONMENT AND FORESTS

### Notification

*New Delhi, the 4th February, 2011*

*S.O. 249(E).*— Whereas the draft rules, namely, the Plastics (Manufacture, Usage and Waste Management) Rules, 2009 were published by the Government of India in the Ministry of Environment and Forests vide number S. O. 2400(E), dated the 17th September, 2009 in the Gazette of India, Extraordinary of the same date inviting objections and suggestions from all persons likely to be affected thereby, before the expiry of a period of sixty days from the date on which copies of the Gazette containing the said notification were made available to the public;

And whereas, copies of the said Gazette were made available to the public on the 17th day of September, 2009;

And whereas, the objections and suggestions received within the said period from the public in respect of the said draft rules have been duly considered by the Central Government.

Now therefore, in exercise of the powers conferred by sections 3, 6, and 25 of the Environment (Protection) Act, 1986 (29 of 1986), and in supersession of the Recycled Plastics Manufacture and Usage Rules, 1999, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following Rules, namely:—



1. *Short title and commencement.*— (1) These rules may be called the Plastic Waste (Management and Handling) Rules, 2011.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. *Application.*— The provisions of rules 5 and 8 shall not apply to the manufacture of carry bags exclusively for export purposes, by export oriented manufacturing units, against an order for export received by the owner or occupier of the concerned manufacturing unit. This exemption does not apply to any surplus or rejects, left over and the like.

3. *Definitions.*— In these rules, unless the context otherwise requires,—

(a) "Act" means the Environment (Protection) Act, 1986 (29 of 1986);

(b) "Carry bags" mean all plastic bags used to carry commodities, including self carrying features;

(c) "Commodities" mean articles, including but not limited to vegetables, fruits, pharmaceuticals, food grains and the like;

(d) "Compostable plastics" mean plastic that undergoes degradation by biological processes during composting to yield CO<sub>2</sub>, water, inorganic compounds and biomass at a rate consistent with other known compostable materials and does not leave visible, distinguishable or toxic residue;

(e) "Consent" means the consent to establish and operate from the concerned State Pollution Control Board or Pollution Control Committee granted under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), and the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981);

(f) "Disintegration" means the physical breakdown of a material into very small fragments;

(g) "Extended producer's responsibility (EPR)" means the responsibility of a producer or manufacturer of plastic carry bags and multilayered plastic pouches or packages for the environmentally sound management of the product until the end of its life. The responsibility also applies to all manufactures using such packaging;

(h) "Food-stuffs" mean ready to eat food products, fast food, processed or cooked food in liquid, powder, solid or semi-solid form;

(i) "Manufacturer" means any producer who manufactures plastic carry bags, multilayered packaging, pouches and the like or uses such materials in packaging of a product;

(j) "Municipal authority" means Municipal Corporation, Municipality, Nagar Palika, Nagar Nigam, Nagar Panchayat, Municipal Council including notified area committee (NAC) or any other local body constituted under the relevant statutes and, where the management and handling of municipal solid waste is entrusted to such agency;

(k) "Multilayered plastics" mean any material having a combination of more than one layer of packaging materials such as paper, paper board, polymeric materials, metalised layers or aluminium foil, either in the form of a laminate or co-extruded structure;

(l) "Plastic" means material which contains as an essential ingredient a high polymer and which at some stage in its processing into finished products can be shaped by flow;

(m) "Plastic waste" means any plastic product such as carry bags; pouches or multilayered packaging, which have been discarded after use or after their intended life is over;

(n) "Registration" means registration of units manufacturing or recycling carry

bags made of virgin or recycled plastics with the concerned State Pollution Control Board or Pollution Control Committee, as the case may be;

(o) "Virgin plastic" means plastic material which has not been subjected to use earlier and has also not been blended with scrap or waste;

(p) "Waste management" means the scientific reduction, re-use, recovery, recycling, composting or disposal of plastic waste;

(q) "Waste pickers" mean individuals or group of individuals engaged in the collection of plastic waste.

4. *Prescribed Authority.*— The Prescribed Authority means the Authority—

(a) for enforcement of the provisions of these rules related to authorization, manufacture, recycling and disposal shall be State Pollution Control Board and Pollution Control Committee in respect of Union territory.

(b) for enforcement of the provisions of these rules relating to the use, collection, segregation, transportation and disposal of post consumer plastic waste shall be the concerned Municipality authority.

5. *Conditions.*— During the course of manufacture, stocking, distribution, sale and use of carry bags and sachets, the following conditions shall be fulfilled, namely:—

(a) carry bags shall either be white or made using only those pigments and colourants which are in conformity with Indian Standard: IS 9833:1981 titled as List of pigments and colourants for use in plastics in contact with foodstuffs, pharmaceuticals and drinking water, as amended from time to time;

(b) no person shall use carry bags made of recycled plastics or compostable plastics for storing, carrying, dispensing or packaging food stuff;

(c) no person shall manufacture, stock, distribute or sell any carry bag made of virgin or recycled or compostable plastic, which is less than 40 microns in thickness;

(d) sachets using plastic material shall not be used for storing, packing or selling gutkha, tobacco and pan masala;

(e) recycled carry bags shall conform to the Indian Standard: IS 14534:1998 titled as Guidelines for Recycling of Plastics, as amended from time to time;

(f) carry bags made from compostable plastics shall conform to the Indian Standard: IS/ISO 17088:2008 titled as Specifications for Compostable Plastics, as amended from time to time.

6. *Plastic Waste Management.*— The plastic waste management shall be as under:—

(a) recycling, recovery or disposal of plastic waste shall be carried out as per the rules, regulations and standards stipulated by the Central Government from time to time;

(b) recycling of plastics shall be carried out in accordance with the Indian Standard: IS 14534:1998 titled as Guidelines for Recycling of Plastics, as amended from time to time;

(c) the municipal authority shall be responsible for setting up, operationalisation and co-ordination of the waste management system and for performing the associated functions, namely:— (i) to ensure safe collection, storage, segregation, transportation, processing and disposal of plastic waste; (ii) to ensure that no damage is caused to the environment during this process; (iii) to ensure setting up of collection centres for plastic waste involving manufacturers; (iv) to ensure its channelisation to recyclers; (v) to create awareness among all stakeholders about their responsibilities; (vi) to engage agencies or groups working in waste management including waste pickers, and (vii) to ensure that open burning of plastic waste is not permitted;

(d) for setting up plastic waste collection centres, the municipal authority may ask the manufacturers, either collectively or individually in line with the principal of Extended Producer's Responsibility (EPR) to provide the required finance to establish such collection centre;

(e) recyclers shall ensure that recycling facilities are in accordance with the Indian Standard: IS 14534:1998 titled as Guidelines for Recycling of Plastics and in compliance with the rules under the Environment (Protection) Act, 1986, as amended from time to time;

(f) the concerned municipal authority shall ensure that the residues generated from recycling processes are disposed of in compliance with Schedule II (Management of Municipal Solid Wastes) and Schedule III (Specifications for Landfill Sites) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 made under the Environment (Protection) Act, 1986, as amended from time to time;

(g) the municipal authority shall incorporate the said rules in the Municipal bye-laws of all the Urban Local Bodies;

(h) the municipal authority shall encourage the use of plastic waste by adopting suitable technology such as in road construction, co-incineration etc. The municipal authority or the operator intending to use such technology shall ensure the compliance with the prescribed standards including pollution norms prescribed by the competent authority in this regard.

**7. Protocols for Compostable Plastic Materials.**—Determination of the degree of degradability and degree of disintegration of plastic material shall be as per the protocols of the Indian Standards listed in the Annexure to these rules.

**8. Marking or Labelling.**— (a) each plastic carry bag and multilayered packaging shall have the following information printed in English or in local language, namely:—

(i) name, registration number of the manufacturer and thickness in case of carry bag;

(ii) name and registration number of the manufacturer in case of multilayered packaging.

(b) each recycled carry bag shall bear a label or a mark "recycled" as shown below and shall conform to the Indian Standard: IS 14534: 1998 titled as Guidelines for Recycling of Plastics, as amended from time to time;



*Note:* PET—Polyethylene terephthalate, HDPE—High density polyethylene, V—Vinyl (PVC), LDPE—Low density polyethylene, PP—Polypropylene, PS—Polystyrene and other means all other resins and multi-materials like ABS (Acrylonitrile butadiene styrene), PPO (Polyphenylene oxide), PC (Polycarbonate), PBT (Polybutylene terephthalate) etc.

(c) each carry bag made from compostable plastics shall bear a label "compostable" and shall conform to the Indian Standard: IS/ISO 17088:2008 titled as Specifications for Compostable Plastics;

(d) retailers shall ensure that plastic carry bags and multilayered packaging sold by them are properly labelled, as per stipulations under these rules.

**9. Registration of Manufacturers and Recyclers.**— (a) any person manufacturing or proposing to manufacture carry bags and multilayered plastics shall apply to the State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) of the Union territory concerned for the grant of registration or for the renewal of registration for the manufacturing unit using Form I appended to these rules;

(b) any person recycling or proposing to recycle carry bags or multilayered plastics or any plastic waste shall apply to the SPCB or PCC for grant of registration or renewal of registration for the recycling unit using Form 2 appended to these rules;

(c) no person shall manufacture carry bags or recycle plastic bags or multilayered plastics unless without obtaining the registration certificate from the SPCB or PCC, as the case may be, prior to the commencement of production;

(d) the SPCB and PCC shall not issue or renew a registration for manufacturing or recycling units unless the unit possesses a valid consent under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) and the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981) and certificate of registration issued by the District Industries Centre or any other Government agency authorised in this regard;

(e) every State Pollution Control Board or Pollution Control Committee shall take a decision on the grant of registration within ninety days of receipt of an application that is complete in all respects;

(f) the registration granted under this rule shall be valid for a period of three years, unless revoked, suspended or cancelled; and registration shall not be revoked, suspended or cancelled without providing the manufacturer an opportunity for a hearing;

(g) every application for renewal of registration shall be made at least ninety days before the expiry of the validity of the registration certificate.

10. *Explicit pricing of carry bags.*— No carry bags shall be made available free of cost by retailers to consumers. The concerned municipal authority may be notified to determine the minimum price for carry bags depending upon their quality and size which covers their materials and waste management costs in order to encourage their re-use so as to minimize plastic waste generation.

11. *State Level Advisory Body.*— (1) There shall be a State Level Advisory Body to monitor the implementation of these Rules.

(2) The State Level Advisory Body shall consist of the following persons, namely:—

- |   |              |
|---|--------------|
| (a) the Secretary, Department of Urban Development                                  | — Chairman   |
| (b) one expert from State Department of Environment                                 | — Member     |
| (c) one expert from State Pollution Control Board or<br>Pollution Control Committee | — Member     |
| (d) one expert from Urban Local Body  | — Member     |
| (e) one expert from Non-Governmental Organization                                   | — Member     |
| (f) one expert from the field of Industry   | — Member and |
| (g) one expert from the field of academic institution                               | — Member     |

(3) The State Level Advisory Body shall meet at least once in a year and may invite experts, if it considers necessary.

12. *Annual Reports.*— (1) Each State Pollution Control Board or Pollution Control Committee shall prepare and submit the annual report to the Central Pollution Control Board on the implementation of these rules by the 30th day of September of each year;

(2) The Central Pollution Control Board shall prepare a consolidated annual report on the use and management of plastic waste and forward it to the Central Government alongwith its recommendations before the 30th day of December each year.

[F. No. 17-2/2001-HSMD]  
RAJIV GAUBA, Jt. Secy.

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ANNEXURE  
[See rule 7]

1. IS/ISO 14851: 1999 Determination of the ultimate anaerobic biodegradability of plastic materials in an aqueous medium-Method by measuring the Oxygen demand in a closed Respirometer.
2. IS/ISO 14852: 1999 Determination of the ultimate anaerobic biodegradability of plastic materials in an aqueous medium-Method by analysis of evolved carbon dioxide.
3. IS/ISO 14853: 2005 Plastics Determination of the ultimate anaerobic biodegradation of plastic materials in an aqueous system-Method by measurement of biogas production.
4. IS/ISO 14855-1: 2005 Determination of the ultimate anaerobic biodegradability of plastic materials under controlled composting conditions-method by analysis of evolved carbon dioxide (Part-1 General method).
5. IS/ISO 14855-2: 2007 Determination of the ultimate anaerobic biodegradability of plastic materials under controlled composting conditions-Method by analysis of evolved carbon dioxide (Part-2: Gravimetric measurement of carbon dioxide evolved in a laboratory- scale test).
6. IS/ISO 15985: 2004 Plastics-Determination of the ultimate anaerobic biodegradation and disintegration under high-solids anaerobic digestion conditions Methods by analysis of released biogas.
7. IS/ISO 16929: 2002 Plastics-Determination of degree of disintegration of plastic materials under defined composting conditions in a pilot scale test.
8. IS/ISO 17556: 2003 Plastics-Determination of ultimate anaerobic biodegradability in soil by measuring the oxygen demand in a Respirometer or the amount of carbon dioxide evolved.
9. IS/ISO 20200: 2004 Plastics-Determination of degree of disintegration of plastic materials under simulated composting conditions in a laboratory-scale test.

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FORM - I

[See rule 9]

APPLICATION FOR REGISTRATION OF A UNIT FOR THE MANUFACTURE OF PLASTIC CARRY  
BAGS AND MULTILAYERED PLASTICS

FROM: .....

.....

..... (Name and full address of the occupier)



To,

The Member Secretary,  
 ..... Pollution Control Board/Pollution Control Committee  
 .....  
 .....

Sir,

I, We hereby apply for registration under rule 9 of the Plastic Waste (Management and Handling Rules, 2011.

-----  
 PART - A  
 GENERAL

1. (a) Name and location of the unit
- (b) Address of the unit
- (c) Registration required for manufacturing of:
  - (i) Carry bags:
  - (ii) Multilayered plastics
- (d) Manufacturing capacity
- (e) In case of renewal, previous registration number and date of registration
2. Is the unit registered with the DIC/DCSSI of the State Government/Union territory? If yes, attach a copy
- 3.(a) Total capital invested on the project
- (b) Year of commencement of production
4. (a) List and quantum of products and by-products
- (b) List and quantum of raw materials used
5. Furnish a flow diagram of manufacturing process showing input and output in terms of products and waste generated including for captive power generation and water
6. Minimum sizes and thickness of carry bags to be manufactured
7. Status of compliance with these rules

-----  
 PART-B

PERTAINING TO LIQUID EFFLUENT AND GASEOUS EMISSIONS

8. (a) Does the unit have a valid consent under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974)?  
 If yes, attach a copy
- (b) Does the unit have a valid consent under the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981)?  
 If yes, attach a copy

PART -C  
PERTAINING TO WASTE

## 9. Solid Wastes:

- (a) Total quantum of waste generated
- (b) Mode of storage within the plant
- (c) Provision made for disposal of wastes

Name and Signature

Designation

Date :

Place :

FORM - 2

[See rule 9]

APPLICATION FORM FOR REGISTRATION OF FACILITIES POSSESSING ENVIRONMENTALLY SOUND  
MANAGEMENT PRACTICES FOR RECYCLING PLASTIC WASTE

1. Name and Address of the Unit
2. Contact person with designation,  
Tel./Fax/email
3. Date Commissioned

4. No. of workers (including  
contract labour)

## 5. Consents Validity

- a. Water (Prevention & Control of Pollution) Act, 1974;  
Valid up to .....
- b. Air (Prevention & Control of Pollution) Act, 1981;  
Valid up to .....

## 6. Authorization validity

## 7. Manufacturing Process

Please attach a flow diagram of the manufacturing process  
flow diagram for each product.

8. Products and installed capacity  
of production (MTA)

Products

Installed capacity

9. Products and manufactured during  
the last three years (as applicable)

Year

Product

Quantity

10. Raw material consumed during the  
last three years (as applicable)

Year

Product

Quantity

## 11. Water consumption

Industrial ..... m<sup>3</sup>/dayDomestic ..... m<sup>3</sup>/day

Date until which water cess has been paid (if applicable)

Waste water generation as per  
consent ..... m<sup>3</sup>/dayActual waste water generated  
(average of last 3 months)Industrial ..... m<sup>3</sup>/dayDomestic ..... m<sup>3</sup>/dayWaste water treatment (provide  
flow diagram of the treatment scheme)

Industrial

Domestic

Waste water discharge

Quantity ..... m<sup>3</sup>/day

Location .....

Analysis of treated waste water  
for pH, BOD, COD, SS, O&G, any other parameter  
stipulated by SPCB/PCC (attach details)

## 12. Air Pollution Control

a. Provide a flow diagram for emission control system(s) installed for each processing unit, utilities etc.

b. Details for facilities provided for control of fugitive emissions due to material handling, process, utilities etc.

c. Fuel consumption

Fuel

Qty. per day/month

(i)

(ii)

d. Stack emission monitoring

Stack attached to

Emission (SPM, SO<sub>2</sub>, NO<sub>x</sub>, etc.) mg/Nm<sup>3</sup>

(i)

(ii)

e. Ambient air quality

Location Results

Parameters SPM, SO<sub>2</sub>, NO<sub>x</sub>, etc.) µg/m<sup>3</sup>

µg/m<sup>3</sup>

(i)

(ii)

## 13. Waste Management:

a. Waste generation in processing plastic-waste

S. No.

Type

Category

Qty.

(i)

(ii)

(iii)

b. Waste Collection and transportation (attach details)

c. Waste Disposal details

S. No.

Type

Category

Qty.

(i)

(ii)

d. Provide details of the disposal facility, whether the facility is authorized by SPCB/SPCC

e. Please attach analysis report of characterization of waste generated (including leachate test if applicable)

14. Details of plastic waste proposed to be acquired through sale, auction, contract or import, as the case may be, for use as raw material

(i) Name

(ii) Quantity required/year

15. Occupational safety and health aspects

Please provide details of facilities

## 16. Remarks:

Whether the unit has adequate pollution control systems/equipment to meet the standards of emission/effluent

If yes, please furnish details

Whether unit is in compliance with conditions laid down in the said rules

Yes/No

Whether conditions exist or are likely to exist of the material being handled/processed posing adverse immediate or delayed impacts on the environment

Yes/No

Whether conditions exist (or are likely to exist) of the material being handled/  
/processed by any means capable of yielding  
another material (e.g. leachate) which may  
possess eco-toxicity

Yes/No

17. Any other relevant information

18. List of enclosures as per rule

Name and Signature

Designation

Date:

Place:



## Department of Social Welfare

Directorate of Social Welfare

### Notification

83/9/2006-SDB/2010-2011/Part-I

Government of Goa is pleased to make the following Scheme and is hereby published for general information of public, which shall come into force with the date of publication in the Official Gazette.

By order and in the name of the Governor of Goa.

*N. B. Narvekar*, Director & ex officio Joint Secretary (Social Welfare).

Panaji, 24th February, 2011.

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SAHAYATA

## SCHEME TO PROVIDE FINANCIAL ASSISTANCE TO THE VOLUNTARY ORGANISATIONS

1. *Objective of the Scheme.*— The objective of the Scheme is to provide Financial Assistance to the Voluntary Organizations/NGO's for the purpose of organizing activities such as Seminars, Workshops, Competitions, Medical Camps, Awareness Camps etc., in the State of Goa. The Scheme may be called as "SAHAYATA".

2. *Definitions.*— (1) Government means the Government of Goa.

(2) Secretary means the Secretary of Social Welfare, Government of Goa.

(3) Director means the Director of Social Welfare, Government of Goa.

(4) NGO means Non-Government Organization duly registered with the competent authority under the existing Law.

3. *Target Group and Eligibility.*— (1) The Scheme shall be applicable to all the NGO's registered under an appropriate Law in force, at least 2 years prior to making an application for Financial Assistance under this Scheme.

(2) The NGO will submit Audited Statements of Accounts of last two years as well as a copy of Memorandum of Association & Article of Association while applying for Financial Assistance under the Scheme.

(3) The NGO's applying for Financial Assistance under this Scheme shall be working for the Welfare of Senior Citizens/Disabled Persons and other weaker sections of the Society and the activities to be undertaken shall be for the cause of such sections.

4. *Commencement of the Scheme.*— The Scheme shall come into force from the date of publication of Scheme in the Official Gazette.

5. *Financial Assistance.*— (a) Under the Scheme a maximum amount of Rs. 50,000/- (Rupees Fifty thousand only) shall be sanctioned by the Directorate of Social Welfare for the purpose of undertaking any of the activity mentioned above. The amount sanctioned shall be released in two equal installments in the form of Grants. Any NGO shall be sanctioned Financial Assistance under the Scheme only once in a period of two financial years.

(b) The NGO shall contribute at least 20% of the cost of proposed activity and the 80% of the cost shall be sanctioned under the Scheme subject to the maximum of Rs. 50,000/- (Rupees Fifty thousand only). The proof of such contribution shall be provided to the Director of Social Welfare.

(c) The NGO will submit a statement of the organizing activities as Seminars, Workshops, Competitions, Medical Camps and Awareness Camps etc. and details of expenditure made for the said purpose, for record.

6. *Mode of Application.*— Application for Financial Assistance shall be submitted to the Director of Social Welfare in the prescribed format at least three months in advance of the proposed activities and shall be accompanied with the following documents.

- (1) A copy of Certificate of Registration issued by the Competent Authority.
- (2) Detailed Project Report of the proposed activities giving financial implications.
- (3) Audited accounts of the last two years.

7. *Other Terms and Conditions.*— (1) The Grant of Financial Assistance under the Scheme cannot be claimed as a matter of right.

(2) The amount sanctioned under this Scheme shall be utilized for the purpose for which it has been sanctioned. Within a period of 15 days from the date of proposed activities, the Utilization Certificate as per GFR-19 and the proof of 20% contribution by NGO with detailed accounts in this regard and a report on the conduct of such activity shall be submitted to the Director of Social Welfare.

8. *Interpretation and Relaxation.*— (1) The Secretary of Social Welfare shall be the final authority concerning the interpretation of this Scheme.

(2) Government may relax any of the provision of this Scheme.



## SAHAYATA

## Application Form

(Scheme to provide financial assistance to the voluntary organizations)

Dated:-

To,  
The Director,  
Directorate of Social Welfare,  
18th June Road, Panaji.

Sub.:- Financial Assistance under Sahayata Scheme.

Sir,

We propose to organize \_\_\_\_\_ under the Sahayata Scheme for which details are given as under:

- |  |   |                |
|--|---|----------------|
| 1. Name of the Organization/NGO  | : |                |
| 2. Address of the Organization/NGO   | : |                |
| 3. Contact No.   | : |                |
| 4. No. and date of Registration with the competent authority (copy enclosed) | : |                |
| 5. Brief History of the Organization/NGO                                     | : | To be attached |
| 6. Details of proposed activity  | : | To be attached |
| 7. Details of financial implication giving itemwise breakup                  | : | To be attached |
| 8. Tentative schedule of the activity  | : |                |
| 9. Venue identified of the proposed activity                                 | : |                |
| 10. Number of participants expected  | : |                |
| 11. Level of Participant   | : |                |
| 12. Resource persons available/to be arranged with their names and addresses | : | To be enclosed |

Thanking you,

Yours faithfully,

( )

President/Chairman

( )

Secretary

Official Stamp of Organization/NGO

Documents to be attached:

1. Brief History of the Organization/NGO.
2. A copy of Registration Certificate issued by competent authority.
3. A copy of Bank Pass Book of the Organization/NGO.
4. Resolution by the Executive Committee of the Organization/NGO.
5. Audited/Unaudited statement of last two years.
6. Detail of proposed activity.
7. Details of financial implication.

*N.B. :* The amount of Financial Assistance under this scheme will be provided to the tune of Rs. 50,000/- or 80% of the cost whichever is less and the same cannot be claimed as a matter of right. The amount sanctioned under this Scheme shall be utilized for the purpose for which it has been sanctioned and the Utilization Certificate as per GFR-19 shall be submitted to the Directorate of Social Welfare within a period of 15 days after the date of organization of the activities.

[www.goaprintingpress.gov.in](http://www.goaprintingpress.gov.in)

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